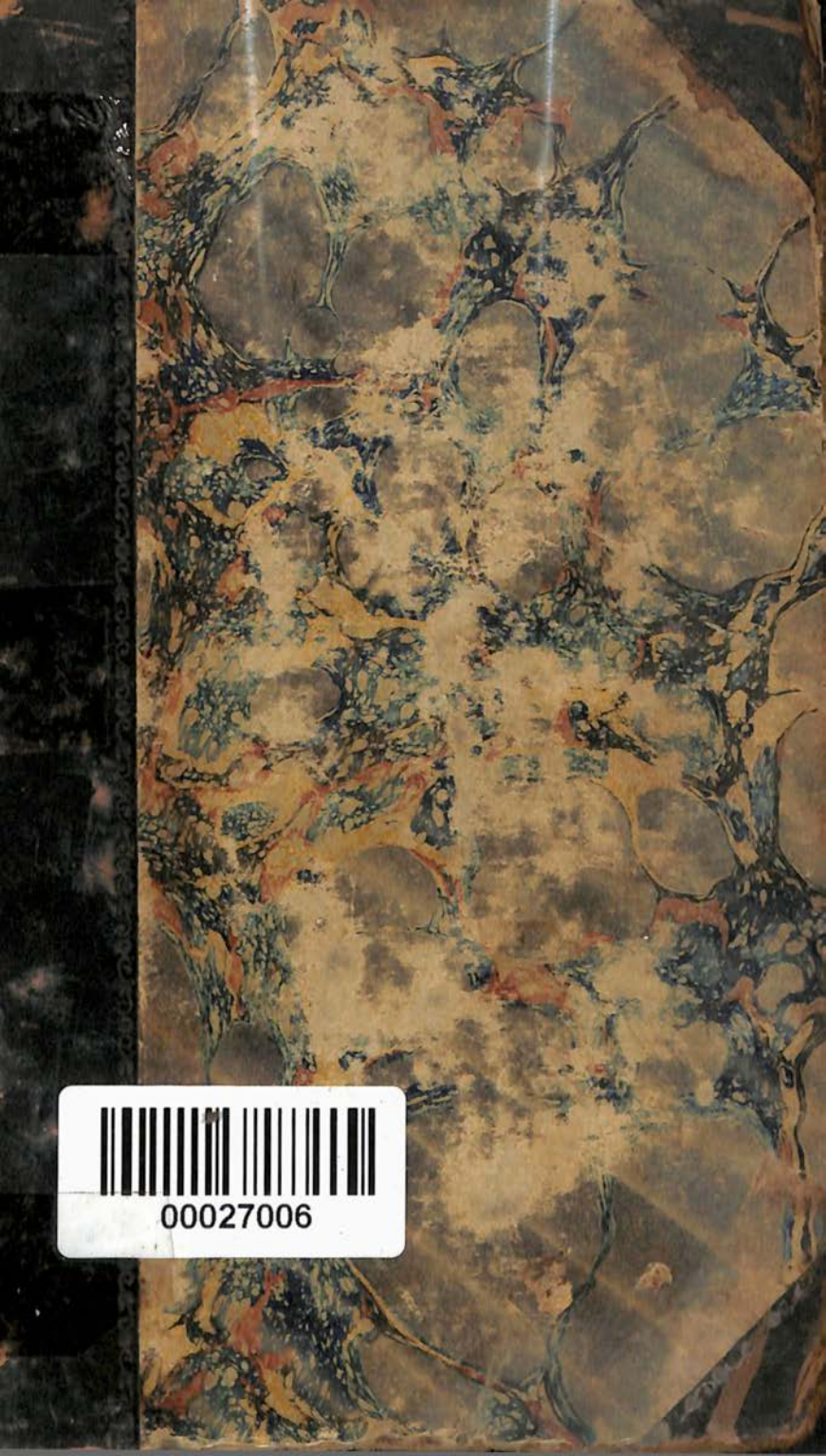
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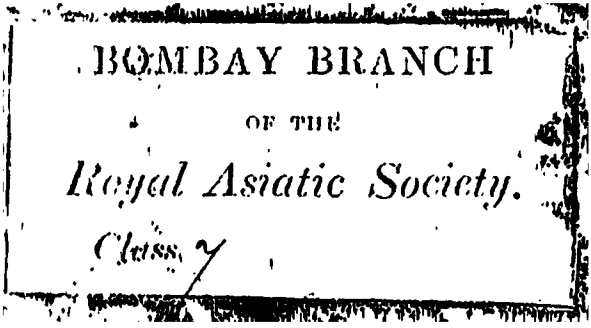

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THE

SPEECHES

OF

THE RIGHT HONOURABLE

WILLIAM PITT,

IN THE

HOUSE OF COMMONS.

QUANTO MAGIS ADMIRAREMINI, SI AUDISSETIS IPSUM
CICERO.

THE SECOND EDITION.

IN THREE VOLUMES.

VOL. I.

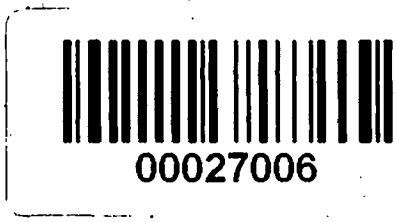
27006

LONDON:

PRINTED FOR LONGMAN, HURST, REES, AND ORME,
PATERNOSTER-ROW;

HATCHARD, PICCADILLY; AND BLACKS AND PARRY,
LEADENHALL-STREET.

1808.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TO

THE RIGHT HONOURABLE

WILLIAM-WYNDHAM

LORD GRENVILLE,

FIRST LORD COMMISSIONER OF HIS MAJESTY'S TREASURY

&c. &c. &c.

THESE VOLUMES ARE,

WITH HIS LORDSHIP'S PERMISSION,

RESPECTFULLY INSCRIBED,

BY HIS MOST OBEDIENT

AND OBLIGED HUMBLE SERVANT,

W. S. HATHAWAY.

LONDON, *November*, 1806.

PREFACE.

In presenting to the public the following collection of Mr. Pitt's Speeches, the Editor would persuade himself that little apology is necessary, either for the motives which induced him to undertake the work, or for the plan upon which it has been conducted. Animated by an ardent zeal and a lively veneration for the memory of Mr. Pitt, and anxious that every vestige of that illustrious statesman's parliamentary career should be recorded as faithfully as possible, he has aimed at accomplishing this object by all the means that diligent and persevering research could afford him.

From the journals of Debret and Woodfall, and from other public reports of admitted authenticity, the work has principally derived its materials. These, however, have not been the only

channels, through which intelligence has been received. Other sources of more difficult access, but at the same time of more authoritative information, have been consulted, and have contributed very valuable assistance: and it has been by collating these various authorities, by detecting the misrepresentations of some through the avowed fidelity of others, by discarding errors where they could be ascertained, and supplying defects where the means of amendment were within reach, that a compilation has been formed, not inadequate, it is hoped, to the expectations of the public. Some few of the speeches that appear in this collection underwent the revision of Mr. Pitt himself; some were communicated by respectable members of the House of Commons from private notes in their own possession; and of the remainder, the greater part has been sanctioned by the testimony of those, whose frequent observation of the style and character of the speaker enabled them to determine the degree of accuracy with which the speeches were reported.

Whilst the Editor presumes to offer this explanation, as to the merits of the collection in general, he is sensible that some exceptions must be admitted. Instances will occasionally occur, in which his efforts will be found unsuccessful; where either the speeches are presented in an imperfect form, or where the report of them has been entirely lost.

This is a defect, for which no remedy could be discovered---which the utmost caution has not been able to prevent, nor the most assidious industry to supply.

In regulating the size of the work, the importance of the matter has been always the first object in view; nor has the privilege of rejection ever been resorted to, but in cases where the nature of the subject seemed to warrant the omission. Few readers, it is imagined, will make it ground of complaint, that, on questions of comparatively inferior interest, on local and incidental topics, which in many instances were discussed rather in the form of desultory conversation than of serious debate, the speeches have not been inserted: and to those, whose curiosity upon points connected with finance may experience a disappointment in the exclusion of any of the budget speeches, it may possibly afford some satisfaction to learn that the most celebrated of these have been retained---such as, though perhaps not superior to the others either in clearness of arrangement or precision of detail, exhibit matter more remarkable for novelty, and abound with a larger share of general information.

The prefatory and supplemental notes have been compressed and used as sparingly, as was found consistent with the necessary illustration of the subjects to which they refer.

With these introductory observations it was deemed expedient to prepare the reader, as to the nature and execution of the work before him. Of the exalted character, some portion of whose eloquence these pages have attempted to preserve, it is superfluous to speak. His talents, his patriotism, his virtues, are fresh in the memory of all; and his country will feel with long and deep regret its premature loss of them. "*Quidquid ex Agricolâ amavimus, quidquid mirati sumus, manet mansurumque est in animis hominum, in æternitate temporum, famâ rerum. Nam multos veterum velut inglorios et ignobiles oblivio obruet, Agricola posteritati narratus et traditus, superstes erit.*" (TACITUS IN AGRIC.)

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MR. PITT'S

PARLIAMENTARY SPEECHES.

February 26, 1781.

THE House having proceeded to the order of the day on the second reading of Mr. Burke's bill for the better regulation of his Majesty's civil list revenue, and for abolishing several useless, expensive, and inconvenient places, and for applying the monies arising therefrom to the public service,

Mr. PITT rose on this occasion for the first time; and, in a speech in answer to matter that had fallen out in the course of the debate, displayed great and astonishing powers of eloquence. With a voice rich and harmonious; an easy and elegant manner; and language beautiful and luxuriant, he exhibited, in this first essay, a specimen of oratory worthy the son of the immortal Chatham.*

He said, that he gave the most hearty consent to what had fallen from his honourable friend on the other side of the house—that a proposition for the retrenchment of the civil list revenue ought to have come from his Majesty's ministers. He gave his entire approbation to this sentiment. It would have come with more grace; it would have come with more benefit to the public service, if it had sprung from the royal breast. His Majesty's ministers ought to have come forward and proposed a reduction in the civil list, to give the people the consolation of knowing

* Mr. Pitt entered parliament in his 22d year. He was born the 28th of May, 1759; and took his seat in the House of Commons as representative for the borough of Appleby on the 23d of January, 1781.

The Administration at this time consisted of

Lord North..... { First Lord of the Treasury and Chancellor of the Exchequer.

that their sovereign participated in the sufferings of the empire, and presented an honourable example of retrenchment in an hour of general difficulty. They ought to have consulted the glory of their royal master, and have seated him in the hearts of his people, by abating from magnificence what was due to necessity. Instead of waiting for the slow request of a burthened people, they should have courted popularity by a voluntary surrender of useless revenue. Far more agreeable would it have been to that house to accede, than to propose; much more gracious to have observed the free exercise of royal bounty, than to make the appeal and point out what was right or what was necessary. But if ministers failed to do this; if they interfered between the benignity of the sovereign and the distresses of his people, and stopped the tide of royal sympathy; was that a reason why the House of Commons, his Majesty's public counsellors, should desist from a measure so congenial to the paternal feelings of the sovereign, so applicable to the wants and miseries of the people?

Earl of Hillsborough.....
(afterwards Marquis of Downshire)
Lord Viscount Stormont.....
(afterwards Earl of Mansfield)
Lord George Germain..... } Secretaries of State. (Colonies.)

Lord Thurlow..... Lord Chancellor.

Earl Bathurst..... Lord President of the Council.

Earl of Dartmouth..... Lord Privy Seal.

Lord Hyde.....
(afterwards Earl of Clarendon) } Chancellor of the Duchy of Lancaster.

Earl of Sandwich..... First Lord of the Admiralty.

Lord Viscount Townshend.... Master-General of the Ordnance.

Charles Jenkinson, Esq.....
(afterwards Earl of Liverpool) } Secretary at War.

Right Hon. Richard Rigby... Paymaster-General of the Forces.

Welbore Ellis, Esq.....
(afterwards Lord Mendip) } Treasurer of the Navy.

James Wallace, Esq..... Attorney-General.

James Mansfield, Esq..... Solicitor-General.

Earl of Carlisle..... Lord Lieutenant of Ireland.

William Eden, Esq.....
(afterwards Lord Auckland) } Secretary to do.

The natural beneficence of the royal heart would be gratified by the seasonable remittance. And surely it was no reason, because ministers failed to do their duty, that the house should cease to attend to theirs. Acting as the faithful representatives of the people, who had trusted them, they ought to seize on every object of equitable resource that presented itself; and surely none were so fair, so probable, or so flattering, as retrenchment and economy. The obligations of their character demanded from them not to hesitate in pursuing those objects, even to the foot of the throne; and, actuated by duty, to advise the crown to part with useless ostentation, that he might preserve necessary power; to abate a little of pomp, that he might ascertain respect; to diminish a little of exterior grandeur, that he might encrease and secure authentic dignity. Such advice would become them, as the counsellors of his Majesty, and as the representatives of the people; for it was their immediate duty, as the commons house of parliament, to guard the lives, the liberties, and the properties of the people. The last obligation was the strongest: it was more immediately incumbent upon them to guard the properties, because they were more liable to invasion by the secret and subtle attacks of influence, than either their lives or liberties—It would not derogate from the real glory of the crown to accept of the advice. It would be no diminution of true grandeur to yield to the respectful petitions of the people. The tutelage of that house might be a hard term; but the guardianship of that house could not be disgraceful to a constitutional king. The abridgment of useless and unnecessary expense could be no abatement of royalty. Magnificence and grandeur were not inconsistent with retrenchment and economy, but, on the contrary, in a time of necessity and of common exertion, solid grandeur was dependent on the reduction of expense. And it was the general sentiment and observation of the house, that economy was at this time essentially necessary to national salvation. This had been the language of the noble lord* on the other side of the house, and he had declared, that, if the bill then before

* Lord Nugent.

the house had provided that all the monies to be derived from the reductions proposed were to be applied to the public service, he would have given his hearty concurrence in it, and would have become one of its warmest advocates. Here then he begged leave to join issue with the noble lord. He had said, that the savings were to be appropriated towards a fund for creating a provision for the royal family; and this clause he had found in the bill before them. He begged to inform the noble lord, that there was a clause in the bill which expressly stated that the monies arising from the reductions proposed should be directly applied to the public service. The only merit that he could claim in a competition with the noble lord was, that his eyes were somewhat younger than his, and he would read the clause to which he alluded. He here read the following clause:

"And it is hereby enacted by the authority aforesaid, that all salaries, lawful fees, perquisites, and profits whatsoever, belonging to all and every the offices by this act suppressed, shall cease and determine with the determination of the said offices severally, and be no longer paid; and that the commissioners of the treasury shall, within a reasonable time, make, or cause to be made up, an account of the salaries and fees now payable for or on account of the said offices severally, as also an account of all the charges whatsoever, ordinary or extraordinary, incurred for, or by reason of the said offices, during (a certain number) of years last past; and shall cause a sum, to the amount of a medium of the said salaries, fees, and charges, to be annually set apart, and a separate account to be kept of the same, and to carry the said sum or sums of money, together with the amount of each and every pension as it shall fall or determine, until the said pension-list be reduced to a sum to be limited by the act (except as in this act otherwise provided) to the *sinking fund*, there to remain for the disposition of parliament." This was the clearest refutation of the noble lord's assertion; but his error seemed to have arisen from his having taken notice of another clause in the act, which ordains that the monies appropriated to the payment of annuities to be granted

to those persons whose places were to be abolished, should be placed in a fund, as they should arise by the death of the annuitants, to create a provision for the royal family. This was the error of the noble lord; he had mistaken this provision for all the savings of the plan; unless indeed he imagined that to place money in the sinking fund, subject to the disposal of parliament, was not to apply it to the public service. He might consider the blind profusion of the minister as the public service; and unless it had been left to him to be mismanaged and squandered in his usual way, it was not applying it, in his opinion, to the public service. He trusted the house would excuse him for having wantoned with their patience on this point; and he, for his own part, should think his time and labour very well repaid, if thereby he had been fortunate enough to gain over so powerful an assistant and friend as the noble lord to the principle of the bill.

It had been said by an honorable gentleman who spoke early in the debate, that the bill connected two objects that ought to have been kept separate. His honorable friend* near him had shewn that these objects ought to go hand in hand together; and had very properly contended that this was the fit moment for introducing reform and economy. He should add, that the bill had a third object, much more important than either of these, and that was, the reduction of the influence of the crown —that influence, which the last parliament, by an express resolution, had declared to be increasing, and that it ought to be diminished—an influence, which was more to be dreaded, because more secret in its attacks, and more concealed in its operations, than the power of prerogative. All these objects were not only compatible with each other, but they had a mutual connection, and ought not to be divided in a measure of reformation.

In all the arguments of the noble lord who spoke last, on the subject of the resolutions of the 6th of April, he observed the noble lord's objections were directed solely to the second of

* Mr. John Townshend.

these resolutions; he took it for granted, therefore, that the noble lord admitted the first. That resolution pledged the house to do something effectual, in compliance with the petitions of the people. Why then should the house refuse to adopt the present bill, the operation of which, in diminishing the influence of the crown, rendered it, in his opinion, much more valuable than the mere consideration of the saving it would effect?

But it had been said, that the saving was immaterial—it was a matter of trifling consideration, when measured by the necessities, or the expenses of the time. It proposed to bring no more than 200,000l. a year into the public coffers; and that sum was insignificant, in the public account, when compared with the millions which we spend. This was surely the most singular and unaccountable species of reasoning that was ever attempted in any assembly. The calamities of the crisis were too great to be benefited by economy! Our expenses were so enormous, that it was ridiculous to attend to little matters of account! We have spent so many millions, that thousands are beneath our consideration! We were obliged to spend so much, that it was foolish to think of saving any! This was the language of the day, and it was by such reasoning that the principle of the bill had been disputed.

Much argument had been brought to prove the impropriety, and the injustice, of resuming a parliamentary grant; and it had been even said, that they had not a right to do so. It would be needless to attempt an answer to such a doctrine. It contained its refutation in its weakness. But it ought to be remembered, that the civil list revenue was granted by parliament to his Majesty for other purposes than those of personal gratification. It was granted to support the power and the interests of the empire, to maintain its grandeur, to pay the judges and the foreign ministers, to maintain justice and support respect; to pay the great officers that were necessary to the lustre of the crown; and it was proportioned to the dignity and the opulence of the people. It would be an ungracious task to investigate the great difference that there was between the wealth of the empire when

that revenue was granted, and the wealth at the present time. It would serve, however, to shew, that the sum of revenue which was necessary to the support of the common dignity of crown and people, at that time, ought now to be abated, as the necessities had increased. The people who granted that revenue, under the circumstances of the occasion, were justified in resuming a part of it, under the pressing demand of an altered situation. They clearly felt their right; but they exercised it with pain and regret. They approached the throne with bleeding hearts, afflicted at the necessity of applying for retrenchment of the royal gratifications; but the request was at once loyal and submissive. It was justified by policy, and his Majesty's compliance with the request was inculcated by prudence, as well as by affection.

He confessed, that when he considered the obligations of the house, he could not cherish the idea that they would dispute the principle of the bill before them. He could not believe it possible that the principle of economy would be condemned, or the means of accomplishing it abandoned. For his own part, he admitted the plan proposed. He felt himself, as a citizen of this country, and a member of that house, highly indebted to the honourable author of it; and as he considered it essential to the being, and the independence of his country, he would give it the most determined support.

On a division, the motion for the second reading was negatived.

Ayes.....190

Noes.....233

and the bill was then put off to that day six months.

May 31, 1781.

The order of the day was read for going into a committee on the bill for paying into the exchequer the balances in the hands of public accountants. On the question for the speaker's leaving the chair,

Col. Barré moved "That it be an instruction to the committee, that they have power to make provision in the said bill for removing the commissioners

named by the said act, and for substituting other commissioners in their stead, who are members of the House of Commons.

Lord North opposed Col. Barré's motion.

Mr. Pitt, in support of it, said,

It was so universally admitted, on general principles of theory, that the house could not constitutionally delegate any of its powers and privileges, that he wondered that any gentleman could hesitate upon a question of so important a nature, for a single moment; for what was the matter in dispute at present? no less than, whether that house should forego, and delegate into other hands, that most essential of all the various privileges with which it was invested by the constitution, the privilege of redressing the grievances, and alleviating the burthens of the people! The people had called upon them to examine into the expenses of the war, to see if they could find a system of reformation and economy; and if they could, to take care that it was immediately adopted, and closely adhered to for the future. This was a duty which, even undirected, they were bound to perform; but it was a duty which they not only had uniformly neglected to discharge, but were now going to appoint others to do for them. It was the peculiar duty of that house to watch, examine, and correct, the expenditure of the public money. He conceived the proposed delegation to be an absolute surrender of that most invaluable right with which they were invested by their constituents, and for which in particular they were appointed. What was it that gave the House of Commons their importance in the legislature, their respect and their authority? What, but the power of the purse? Every branch of the legislature had something peculiar to distinguish and to characterize it; and that which at once gave the character and elevation of the commons house of parliament was, that they held the strings of the national purse, and were entrusted with the great important power, first of granting the money, and then of correcting the expenditure. To delegate this right, then, he considered as a violation of what gave them their chief consequence in the legislature; and what, above all other privileges, they could not

surrender nor delegate without a violent breach of the constitution.

The noble lord* seemed fully impressed with the importance of this commission: he admitted its proper execution to be essential for the public interest, and that the salvation of the state depended upon it, yet he called upon the constitutional guardians of the people to commit into the hands of others, a trust so unspeakably consequential, and be mere spectators of an enquiry which was to decide upon the fate of their country. The noble lord had said, that the present commissioners of accounts were merely to enquire, examine, and report, and that it was reserved for parliament to judge, to determine, and to act; that the final deliberation was reserved to them, and they had the power to reject such measures, proposed by the commissioners, as they might deem inconsistent with the public welfare. How humiliating, how miserable a picture of parliamentary power was this! So then, all the power of parliament, with respect to the alleviation of national burthens, the redress of grievances, the reform of expense, the economy, the system, the elucidation of office, was sunk into a disgraceful negative! One positive power, indeed, an odious power, remained,—the power of taxing the people, whenever the noble lord thought proper; the power of making them pay for the noble lord's wild schemes and lavish corruption. If any plan was formed and suggested, by which thousands might be saved, by which the expenditure might be simplified, the influence of the crown diminished, and the responsibility of ministers be more clearly established; by which the engine of government might be relieved from that load of machinery which rendered its movements so slow, so intricate, and so confused; then the House of Commons possessed only the power of putting a negative upon every such proposition. The power of oppressing and burthening the people, therefore, was the only parliamentary power that remained positive and active, while the power of doing good, and of relieving the distresses of the subject, was merely negative. He had

* Lord North.

often heard that the crown had a constitutional power of putting a negative on the acts of the commons, but he had never before heard that the commons had the power to put a negative on the wishes of the people, when those wishes tended towards the establishment of a plan of reformation. He was almost going to say, he could hardly have imagined that the noble lord would have ventured to assert as much: perfectly sure he was that no man else would have dared to have suggested even an opinion that approached towards such a position. What then were the arguments on which the noble lord had rested the vindication of the house for such scandalous inattention to their business?

The noble lord had talked a great deal of the experience of the present commissioners, and had said every thing in their praise that the most elaborate panegyrist could have uttered; he had collected their eulogy from all sides of the house, and had poured forth a profusion of compliments on their wonderful efforts, and the great and successful effects of their enquiry. Without designing to detract in the least from their real merit, it was perfectly fair, he conceived, to examine a little what were the mighty benefits deduced to the public from the acknowledged industry of these commissioners? Theoretical principles, he was ready to admit, must sometimes be suffered to give way for the sake of practical advantages; but then, the first ought never to be departed from, but in cases where there was almost a moral certainty that the second were within reach, and would be attained. In the present case, the commissioners had examined into, and stated in their reports, the amount of several balances in the hands of several public accountants; in doing this, the noble lord would not, he trusted, venture to say that they had done any more than a commission, filled by members of that house, was competent to perform. In his opinion, nothing could be more degrading to parliament than such an idea; for, by the nature of his duty, every representative of the people should be capable of examining how their money was expended. But were not many of them, in fact, versed in the business of public accounts? In one of their reports, however, they had come a

little nearer to a compliance with the prayers of the people, and had gone so far as to point out, with great humility and great deference, an alteration that seemed to them likely to be attended with advantage to the people, by a more economical regulation of office. What did the noble lord in that case? He put a negative upon it, and that not by any parliamentary proceeding; he did not even allow them the exercise of that power of judging and of acting, of which he had said so much, but he took upon himself to negative the proposition of those commissioners of accounts, in whose praise he had been so lavish, and to tell parliament, that although the commissioners had pointed out the inconvenience, and even suggested a remedy, he did not mean to attend to the one, or adopt the other, because he had been told by a great board that the alteration proposed was impracticable. So that the noble lord had disregarded the report of the commissioners, a report delivered in upon oath, and having all the facts stated in it ascertained upon the oaths of a variety of witnesses, and had preferred the loose conversation of a public board; suffering them to become the unsworn witnesses in their own cause. He had not the smallest objection to the board of treasury's conferring with the navy board or any other; but it was a little extraordinary that the noble lord should have assigned it as a reason for not adopting the regulation proposed, and for not even giving parliament an opportunity of putting its own negative upon it, that he had been told it was impracticable by the very board likely to be affected by the alteration.

Such was the distressed situation of this country at present, that he was aware mere forms, and even those which were the most dear, most essential, and most valuable forms of parliament, must be foregone for the sake of immediate and essential public ease, satisfaction, and benefit; he, therefore, much as he disliked the idea of continuing the present commissioners, in preference to members of that house, so far differed from his honourable friends, that he was ready to vote for the present bill, even under the noble lord's limitation of it, provided that immediate ease, satisfaction, and benefit would result from it to

the public. But was this likely to be the case? Let the noble lord, and let the house remember, that it was on the noble lord's solemnly pledging himself, that the extraordinaries of the army should be submitted to the enquiry of the commissioners of accounts immediately, that the debate on that immense claim for the present year had been given up. If, therefore, the noble lord now went back from his promise; if he shifted the matter and did not fulfil what he had pledged himself to perform, all the world must see that the noble lord had cheated and ensnared the house with false hopes; and hypocritically deluded them out of that full and scrutinous discussion, and enquiry into the extraordinaries of the army, which a subject of such great importance undoubtedly called for, and would have met with. But the noble lord having pretended that he himself was astonished at their enormous amount, and having pledged himself that the commissioners should be instructed to enquire into the cause of it immediately, the house had confidence in his promise, and dropped, or at least suspended the investigation. What was it that had carried the noble lord through the present session, but the promise of the reformation which the commissioners of accounts were to effect? and what hopes were there of their doing any good under the present circumstances of the commission? The noble lord has said, the reason why he was not willing to accede to the proposition, to insert the word "immediately," moved in the preceding debate by his honourable friend, was this—because they had not yet gone through that ground of enquiry they had begun upon; a ground of enquiry extremely narrow of itself, and which he could not but suspect had been studiously laid down by the original bill, as the object to which the commissioners were first to direct their attention, whereby parliament and the people would be diverted and silenced. And here he must remark, that he verily believed on his credit, his honour, and his conscience, that the noble lord meant and designed, that the commissioners should spend their time in enquiring into trifles without going into an examination of any great, extensive, and important object, the better to continue the deception,

and to carry on the hypocrisy and deceit that had already led that house into so many votes, disgraceful to themselves, and ruinous to the public.

The noble lord, Mr. Pitt observed, affecting more than common modesty, had spoken in the third person—"the noble lord, he was sure, if the commissioners were to be chosen from among the members of that house, would not wish to have the nomination of them." This was a singular remark from a minister who had named every one of the present commissioners; but, perhaps, it had some truth in it. Indeed, he would do the noble lord so much justice as to declare, that if his honourable friend's motion was carried, and it was agreed that the commissioners to act under the new bill were to be chosen from among the members of that house, by ballot, he did not believe the noble lord would interfere, and make up a list of names, who, on all occasions, were found among his followers. Such a measure would be too palpable, and too gross a mockery of all justice, and all fairness, for the noble lord to venture; it would be at the same time too shameful an avowal of influence for the noble lord's tools to submit to, pliant and accommodating as they were, and too gross even for the profligate impudence of his adherents to defend. The noble lord, therefore, might safely adopt the proposition, and might rest assured he would not be accused of having used the influence of his situation to procure a partial ballot.

The present commissioners were said to be experienced, because they had already executed some part of their business, and made very accurate reports; but it should be remembered, that the enquiry they had hitherto made, was of a nature quite different from that on which they were now to enter. As yet, they had only examined into the receipts of the exchequer, and other branches of public accounts, which were recommended to their attention by the board of treasury, as primary objects, when the commission was first instituted, and which were undoubtedly very simple; but those greater and more general objects of reformation, for which a commission of accounts was

first proposed, had not been touched upon. In every future branch of the business, therefore, they were entire novices, except in one article of the first class, that still remained to be examined; they had still to determine how much current cash should remain with the paymaster-general: but there was time enough for an enquiry of that kind before the expiration of the former act, and another report might still be received this session. In what, then, as to the grand objects of reformation, were those gentlemen better qualified for commissioners than members of that house? Not, surely, by their former habit of life! No one could respect their characters more than himself; but what were their former avocations? One was Sir Guy Carleton, an officer of distinguished merit; but military and numerical talents were not necessarily connected. Another, Mr. Pigot, was young in a profession to which he could not be thought an enemy, but he could not admit that it qualified gentlemen for a commission of this kind. Added to these, there were masters of chancery. In short, men of almost every description, but of that peculiar description which belonged to members of that house, viz. men accustomed to transacting national business.

Another argument used by the noble lord was this, that a delay having occurred in the initiation of this business, it would be again retarded by changing its conductors; for the delay had not arisen from any official neglect of the treasury: No, that was impossible; they could never think of obstructing an enquiry into national expenditures! But here his former answer would apply; the future subject of enquiry differing essentially from the past, if preparation was necessary, it would be equally so to the old as to the new commissioners; for the former would of course deliver over to their successors all papers and articles of undigested evidence now in their possession.

The noble lord had admitted that it was true, Sir Guy Carleton and Mr. Pigot had desired to retire, and that for the reasons before stated; but that such were their good wishes, such their zeal to serve the public, from a consciousness of the good that had arisen, and of the greater degree of good that might arise.

from the prosecution of their labours as commissioners, that they had determined to give up every personal consideration, and continue to act under the renewed commission. The plain English of this argument was, that Sir Guy Carleton had determined to have no more ill health; and that Mr. Pigot was determined to have no more business. For this, ridiculous and absurd as it was, was the only rational interpretation that could be put on the noble lord's words. Again, the noble lord had boasted greatly of the experience of the present commissioners; and had said, that no persons could be equally capable of discharging the duty of commissioners with those who had been tried, who had been found able, and who had given proofs of their talents, their assiduity, and their integrity. He admitted that they were men able, industrious, and honest; that their reports were clear, and their attention indefatigable; but as to their superior abilities and assiduities, without his selecting any of those gentlemen whom he had the happiness to see round him, surely it would be no very difficult matter to find six gentlemen on either side of the house, to the full as able, as prompt, as industrious, and as honest, as the present commissioners of accounts had shewn themselves.

After a variety of particular arguments, all strongly applicable to what Lord North had suggested, Mr. Pitt resumed his general argument, as well on the propriety and the necessity of reformation, as on the duty of the house to listen to the voice of the people, and do something more than follow the noble lord in every proposition he offered, let it be good or bad, solid or superficial, politic or impolitic. He earnestly conjured them to use their own eyes, and to consult their own understandings; to return to a sense of their duty to the people; to act like honest independent members of parliament; and no longer implicitly to pin their faith on the sleeve of a minister, whose sole object it was to deceive and mislead, just as best answered his purpose. He concluded with a pathetic exhortation to the noble lord, that he would at least give up this point, and shew the public that some substantial remedy was intended for their complicated mis-

fortunes. If this commission was properly constituted, there might still remain some hopes for the prosperity of this country; for, having once returned into the path of rectitude, they might go on progressively from one step of reformation to another. But, if the motion was rejected, and the old and vicious system of government thus in every point tenaciously adhered to, the freedom of the people, and the independence of that house, must be buried in the same grave with the power, the opulence, and the glory of the empire.

Colonel Barré's motion was negatived,

Ayes.....41
Noes.....98

and the house then resolved itself into the committee.

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*December 6, 1782.**

THE report from the committee who had been appointed the preceding day, to frame the address to his Majesty, being brought up by Mr. Yorke,

*Two new Administrations had this year been formed, the one by the Marquis of Rockingham, and the other by the Earl of Shelburne.

The Marquis of Rockingham's Administration, which lasted only from March till July, was composed as follows:

Marquis of Rockingham.....	First Lord of the Treasury.
Earl of Shelburne.....	Principal Secretaries of State. (The third secretaryship abolished.)
Hon. Charles James Fox.....	
Lord John Cavendish.....	Chancellor of the Exchequer.
Admiral Keppel..... (created a Viscount)	First Lord of the Admiralty.
Duke of Grafton.....	Lord Privy Seal.
Lord Camden.....	President of the Council.
Duke of Richmond.....	Master-General of the Ordnance.
Lord Thurlow.....	To continue Chancellor.
General Conway.....	Commander in Chief of the Forces.
John Dunning, Esq.....	Chancellor of the Duchy of Lancaster, and created Baron Ashburton.

The above composed the Cabinet.

Hon. Thos. Townshend.....	Secretary at War.

Mr. Burke took this occasion to call the attention of the House to a very ingenious and forcible commentary on the speech of the King's ministers, as delivered from the throne; and, after using a great deal of laughable, mixed with a portion of serious, argument, he concluded with declaring, that he considered the speech as a compound of hypocrisy, self-condemnation, contradiction, and folly; and that, were it not that unanimity was so absolutely necessary at the present crisis, he would have moved an amendment to the address; which, even yet, he was hardly determined against doing.

MR. PITT, in answer, observed, that the present was a moment for seriousness, and not for mirth. The gay flowers of a bril-

Colonel Barré	Treasurer of the Navy.
Edmund Burke, Esq.	Paymaster-General of the Forces.
Lloyd Kenyon, Esq. (afterwards Lord Kenyon)	Attorney-General.
John Lee, Esq.	Solicitor-General.
Duke of Portland	Lord Lieutenant of Ireland.
Hon. Richard Fitzpatrick	Secretary to do.

Lord Shelburne's Administration, which succeeded upon the death of the Marquis of Rockingham, consisted of

Earl of Shelburne	First Lord of the Treasury.
Hon. William Pitt	Chancellor of the Exchequer.
Lord Grantham	Principal Secretaries of State.
Thos. Townshend, Esq.	
Lord Thurlow	Lord Chancellor.
Lord Keppel	First Lord of the Admiralty.
Lord Camden	President of the Council.
Duke of Grafton	Lord Privy Seal.
Duke of Richmond	Master-General of the Ordnance.
Lord Ashburton	Chancellor of the Duchy of Lancaster.
Sir George Yonge	Secretary at War.
Henry Dundas, Esq. (afterwards Lord Melville.)	Treasurer of the Navy.
Colonel Barré	Paymaster of the Forces.
Lloyd Kenyon, Esq. (afterwards Lord Kenyon)	Attorney-General.
John Lee, Esq.	Solicitor-General.
Earl Temple	Lord Lieutenant of Ireland.
Hon. Wm. Wyndham Grenville (afterwards Lord Grenville)	Secretary to do.

liant and exuberant fancy were proper for their season,—for hours of jollity and recreation. He should be happy to share in the delights of that fertile imagination which had so long been the wonder and pleasure of that house; but he could not consent to indulge himself in admiring "the beautiful motes which people the sunbeam," when his mind was occupied with objects so serious and important as those now before the house, nor could he approve of the indiscretion of that wit, which so unseasonably ran away with the good sense and sober judgment of the honourable gentleman. He said he was as willing as any man to unbend his mind, and indulge in the recreation of the theatre; but it was only in the theatre, and in circles of amusement, that sober men would choose to give a loose to imagination, and abstract their minds from all business and reflection. He now rose, therefore, to bring back the house to sobriety and seriousness; and to tell them that this was neither a fit time, nor a proper subject for the exhibition of a gaudy fancy, or the wanton blandishments of theatrical enchantment: it was their duty and business to break the magician's wand, to dispel the cloud, beautiful as it was, which had been thrown over their heads, and consider solemnly and gravely the very perilous situation of the country, and by the force of their united wisdom, abilities, and experience, endeavour to rescue the kingdom from its difficulties by the restoration of an honourable peace. The honourable gentleman had paid him many compliments, which he was sorry he could not either accept or thank him for, as they were accompanied with animadversions of such a nature, that only the elegance of the gentleman's genius could save them from being ridiculous.—All such playful exercises of the gentleman's talent for the gay and ludicrous, he should treat with the same neglect with which all sober men would treat them; and all compliments paid to him in such a style, he should never think himself bound to acknowledge. That his character of the speech, in regard to the matter and manner, would be admitted by the house, he could not believe, because he could not believe that they would consent to call that speech

a farrago of hypocrisies and absurdities, which they had unanimously approved, and for which they had, *nemine contradicente*, agreed to present his Majesty with an address of thanks. That his Majesty's serious admonitions to his parliament should be branded with such epithets; that his feelings on so serious a subject as the dismemberment of his empire, should be outraged; that his speech, delivered with all the sacredness of royalty, should be charged with mockery, hypocrisy, and even profaneness, were things which he did not expect to hear; and which nothing could justify but the circumstance of their being the overflowings of a mind, the richness of whose wit was unchecked for the time by its wisdom and consideration.'

For his part, he was in a more serious mind. He would endeavour, therefore, to pursue a different language from what the honourable gentleman had chosen; and, as he should not imitate him in style, neither would he resemble him in length.

In his Majesty's speech there was nothing that called for the ludicrous treatment the honourable gentleman had been pleased to bestow upon it. The language was plain, intelligible, sincere, and adapted to the occasion, and the address then under consideration was equally expressed with propriety. In order, therefore, that his Majesty's ministers might yet know what part of it was liable to objection, he begged it might be discussed in a manner suitable to the subject. He had the day before addressed himself to grave and independent men, with a view to find if there really appeared cause of objection to any part of it; that his Majesty's ministers might have an opportunity of openly clearing up any doubts that might be entertained, and of convincing that house, that their intentions were founded in a zealous endeavour to promote the public good, and that in a manner the most unexceptionable. With regard to the construction put upon various passages by the honourable gentleman who spoke last, they were, upon the face of them, such as could not be maintained for a moment, by fair and serious argument. After defending that part of the speech in which his Majesty depre-

cates the evils that might follow such a dismemberment of the empire as the recognition of the independence of America creates, he said, the honourable gentleman, among other interpolations and misconstructions of the text, (for it was evident he had tortured the text repeatedly for the sake of furnishing an opportunity to pursue an inapplicable comment) had chosen to connect the paragraph expressive of the readiness shewn by the subjects of the city of London in the general defence, with the mention of the proof of public spirit that had been given by some particular persons; two matters as distinct and separate as could possibly be. Was that house, was any man, a stranger to the zeal of certain descriptions of persons in the metropolis, who, when the government, by a vigorous effort, was sending all the fleets of this country from our own coasts, to the relief of Gibraltar, offered to embody themselves for the defence of the city? Had that fact any natural analogy to the offer of money to build ships with for the use of the public? Was there an idea entertained by any one member of that house, that there was the smallest degree of intention in his Majesty's ministers to apply the voluntary proofs of public spirit in private individuals, to an unconstitutional or a dangerous purpose? To what end then attempt, by arguments so ill-suited and uncalled for, to endeavour to damp the ardour of the country, and repress its spirit in a moment when it was most necessary to be excited? The honourable gentleman had ridiculed the calling forth of the temper, wisdom, and disinterestedness of parliament. Would any serious man attempt to maintain, that the exigency of the times did not render every possible exertion of the temper, wisdom, and disinterestedness of parliament necessary? and, that being allowed, would it be contended that it was an insult to parliament to endeavour to arouse its attention, and that the admonition, so gravely and solemnly given from the throne, was either unseasonable or indiscreet? The serious part, therefore, of what had fallen from the honourable gentleman, he considered as illogical and ill-founded: the trifling part, as the redundancy of an over-luxuriant imagination, which, in the hour of cool reflection,

the honourable gentleman, he was convinced, would confess to have been ill-timed and improper.

With regard to the honourable gentleman's question of the sincerity and reality of the explanation of the provisional articles, which he had just given, he knew not whether the honourable gentleman meant to insinuate that he would be guilty of equivocation, when he solemnly stood up as a minister in that house, and gave an explicit answer to a question explicitly put to him; but he trusted to his hitherto unimpeached character, that the house would not in candour suspect him to be capable of any such base and scandalous duplicity, till they had proof of his guilt: when they believed he was guilty, he should expect their detestation; but if the honourable gentleman now meant to impute any such charge to him, he should only say, that the imputation had, if it might be permitted to a young man to say so to one so much older than himself, his scorn and his contempt. If he had deceived the house in this instance, he desired to be considered no longer fit to be trusted in any degree. He pledged himself on his honour, that he would never sacrifice his veracity, nor be a party to a fraud, for any poor and inadequate advantages which he could reap from his continuance in a station, for which he did not think himself qualified.

The Address was afterwards agreed to.

February 17, 1783.

Debate on the Preliminary Articles of Peace with France and Spain, and the Provisional Treaty with America.

The address approving of the treaties was moved by Mr. Thomas Pitt, upon which an amendment was proposed by Lord John Cavendish, omitting the expressions which pledged the House to the approval of the treaties, and promising that the House would proceed to take the same into their serious consideration.

Mr. PITT spoke in answer to the various arguments that had been adduced against the motion for the address to the throne.

He was pointedly severe on the gentlemen who had spoken against the address, and particularly on Mr. Sheridan. No man admired more than he did the abilities of that right honourable gentleman, the elegant sallies of his thought, the gay effusions of his fancy, his dramatic turns, and his epigrammatic points; and if they were reserved for the proper stage, they would no doubt receive, what the honourable gentleman's abilities always did receive, the plaudits of the audience; and it would be his fortune,

"Sui plausu gaudere theatri."

But this was not the proper scene for the exhibition of these elegancies; and he therefore must beg leave to call the attention of the house to the serious consideration of the very important question then before them.

The clamours excited against the peace were loud in proportion to their injustice; and it was generally the case, that where men complained without cause, they complained without temper. It was necessary to look back, notwithstanding all that the honourable gentleman on the other side of the way had said, to the language of that house, and to the sentiments of that house on this very subject. Had they forgot the resolutions of last session, by which ministers were bound to recognize the independence of America? Had they considered that that resolution, in which he for one most heartily concurred, took at the same time from ministers their advantage ground in negociation; and deprived them of the opportunity of proposing independence as a boon to be conceded, as a matter to be offered as the price, or as the basis of peace? Had they forgot the application made by the right honourable gentleman over the way* to the Dutch, an application couched in terms to his feeling more degrading than any concession in the present peace? Had they forgot the language of that day, when we were told that we must have peace on any terms; peace for a year, for a day, just to give us a little breathing time? Were not these things to be remembered? or were they to be told, that times and circumstances were so completely changed, that what would have been desirable then,

* Mr. Fox.

would not be so now? Were the circumstances so materially changed? Yes, they were; for these opinions were given, and these assertions made when the right honourable gentleman was in office, and when the task of making peace was likely to fall on his own head. This was the change; this was the material alteration of circumstances which had taken place, and which now called for different conditions. The right honourable gentleman was no longer in place; he was no longer responsible for the terms, and therefore the circumstances were changed.

But to shew that there was no other change of circumstances, he went into a long and particular detail of the relative situation of the belligerent powers—their strength, their resources, their wants, their objects, and their prospects, deducing from this the inference, that it was absolutely and indispensably necessary for this country to have peace, and that under all the circumstances of the nation at the time, the terms which he had procured, were fair and advantageous. That he might prove this to be the case, he examined the articles, and spoke particularly to the points which had been complained of—the boundaries of Canada, the fishery of Newfoundland, the cession of the Floridas, the abandonment of the loyalists, and the other topics which had engaged the attention of the house; recommending to them temper and moderation, and spurning at all unseasonable and invidious schemes of opposition, in a moment so calamitous and alarming to the state.

With respect to the unnatural alliance which it was reported had taken place, Mr. Pitt said, it was undoubtedly to be reckoned among the wonders of the age. It was not easy to reduce such an event to any common rule of judging of men. It stretched to a point of political apostacy, which not only astonished so young a man as he was, but apparently astonished and confounded the most veteran observers of the human heart. He was excessively severe on this junction, and spoke in most pointed terms of reproach.*

* Mr. Sheridan, in rising afterwards to explain, took notice of the personal allusions which Mr. Pitt had introduced in his speech. "On the particular sort

At half past seven in the morning the House divided—

For the amendment.. 224
Against it.....208

Majority against ministers.. 16

February 21, 1783.

THE discussion of the Preliminary Articles of Peace with France, Spain, and America, being this day resumed, the following resolutions censuring the terms of the peace, were moved by Lord John Cavendish,

1st. "That in consideration of the public faith which ought to be preserved inviolate, this House will support his Majesty in rendering firm and permanent the peace to be conducted definitively, in consequence of the Provisional Treaty and Preliminary Articles which have been laid before the House."

2d, "That this House will, in concurrence with his Majesty's paternal regard for his people, employ its best endeavours to improve the blessings of peace, to the advantage of his crown and subjects."

3d, "That his Majesty, in acknowledging the independence of the United States of America, by virtue of the powers vested in him by the act of the last session of parliament, to enable his Majesty to conclude a peace or truce with certain colonies in North America, has acted as the circumstances of affairs indispensably required, and in conformity to the sense of parliament."

4th, "That the concessions made to the adversaries of Great Britain, by the said Provisional Treaty and Preliminary Articles, are greater than they were entitled to, either from the actual situation of their respective possessions, or from their comparative strength."

After Mr. Fox had concluded a very long and forcible speech in support of the resolutions,

Mr. PITT rose, and delivered his sentiments as follows:

I personality which the right honourable gentleman had thought proper to make use of, he need not, he said, make any comment—the propriety, the taste, the gentlemanly point of it, must have been obvious to the House. But, said Mr. Sheridan, let me assure the right honourable gentleman, that I do now, and will at any time when he chooses to repeat this sort of allusion, meet it with the most sincere good humour. Nay, I will say more—flattered and encouraged by the right honourable gentleman's panegyric on my talents, if ever I again engage in the compositions he alludes to, I may be tempted to an act of presumption—to attempt an improvement on one of Ben Johnson's best characters, the character of the Angry Boy in the Alchymist."

SIR, Revering, as I do, the great abilities of the honourable gentleman who spoke last, I lament, in common with the house, when those abilities are misemployed, as on the present question, to inflame the imagination, and mislead the judgment. I am told, Sir, "he does not envy me the triumph of my situation on this day," a sort of language which becomes the candour of that honourable gentleman as ill as his present principles. The triumphs of party, Sir, with which this self-appointed minister seems so highly elate, shall never seduce me to any inconsistency which the busiest suspicion shall presume to glance at. I will never engage in political enmities without a public cause. I will never forego such enmities without the public approbation: nor will I *be questioned and cast off in the face of this house, by one virtuous and dissatisfied friend.** These, Sir, the sober and durable triumphs of reason, over the weak and profligate inconsistencies of party violence; these, Sir, the steady triumphs of virtue over success itself, shall be mine, not only in my present situation, but through every future condition of my life: triumphs which no length of time shall diminish; which no change of principle shall ever sully.

The fatal consequence of Tuesday's vote, which I then deprecated and foretold, is already manifest in this house, and it has been thought on all sides requisite, to give a new stability to the peace, which that vote had already shaken. But the proof which the present motion is about to establish, *that we are determined to abide by this peace*, is a declaration that we have examined the terms, and have found them *inadequate*. Still less consistent is this extraordinary motion with the language of Tuesday. It was then urged, that no sufficient time had been allowed us to determine on the articles before us; and in the short space of two days, we are ready to pass a vote of censure on what we declare we have not had leisure to discuss. This, Sir, is the first monstrous production of that strange alliance, which threat-

* Supposed to allude to Sir Cecil Wray, Mr. Powys, &c.

ens once more to plunge this devoted country into all the horrors of another war.

It is not, Sir, an exception to any single article, if well-founded exceptions should really exist, that ought to determine the merits of this treaty. Private interests have their respective advocates, and subjects may be easily found for partial complaints: but private interests must bend to the public safety. What these complaints may prove, is indeed yet unknown: for whilst the honourable gentleman alone is describing with so much confidence the distresses and dissatisfactions of trade, she herself is approaching the throne with the effusions of gratitude and affection. The honourable gentleman who spoke last, has fairly stated the terms by which the merits of this peace are to be decided—*the relative strength and resources of the respective powers at war.* I will immediately meet him on this issue.

I shall begin, Sir, with a most important subject, the state of the British navy; and shall refer myself for proofs of what I assert, to the papers now lying on your table. This appeal, Sir, to solid and authentic documents, will appear the more just and necessary, when I acquaint the house, that a noble lord,* from whom the honourable gentleman professes to receive *his* naval information, has varied in his statements to the cabinet, no less than twenty sail of the line.

We are informed, Sir, from the papers before us, that the British force amounted nearly to one hundred sail of the line.—Many of these had been long and actively employed on foreign stations. With diligent exertions, six new ships would have been added to the catalogue in March. The force of France and Spain amounted to nearly one hundred and forty sail of the line, sixty of which were lying in Cadiz harbour, stored and victualled for immediate service. Twelve ships of the line, including one newly built by the United States, had quitted Boston harbour under Vaudreuil, in a state of perfect repair. An immense land armament was collected at St. Domingo. These several forces were united in one object, and that object was the reduction of

* Lord Keppel.

Jamaica. Who, Sir, can suppose with serious confidence, that island could have long resisted a regular attack, supported by seventy-two sail of the line? Admiral Pigot, after his reinforcement from Europe, would have commanded a fleet of only forty-six sail, and it has long been acknowledged in this house, that *defensive war must terminate in certain ruin.* Would Admiral Pigot have undertaken at this time *offensive* operations against the islands of the enemy?—those islands on which Lord Rodney, flushed with victory, could not venture to attempt an impression? Would Admiral Pigot, Sir, have regained by arms what the ministers have recovered by treaty? Could *he*, in the sight of a superior fleet, have recaptured Grenada, Dominique, St. Kitt's, Nevis, and Montserrat? Or, might we not too reasonably apprehend the campaign in the West Indies would have closed with the loss of Jamaica itself, the remnant of our possessions in that part of the globe?

Let us next consider our situation in the east. A mere defensive resistance, however glorious, had entitled Sir Edward Hughes to the thanks of this house; but his success, if it may be termed a victory, had not prevented the enemy from landing a greater European force than we actually possess in India, and who at this instant are in conjunction with Hyder, subduing and desolating the Carnatic.

The prospect is by no means brightened when we look forward to the probable operations in the Channel, and in the Northern Seas, during the course of the ensuing summer. Thirteen new sail of the line would at that time have been added to the fleet of France; and the Dutch force, as it has been accurately stated, by a great naval officer,* in this debate, would have amounted to twenty-five sail of the line. What accession the Spanish force would have received, is not sufficiently known. It is enough for me to state, the fleets of Bourbon and of Holland would have doubled ours in our own seas. Should we have seized the intervals of their cruize, and poorly paraded the Channel for

* Commodore Keith Stuart.

a few weeks, to tarnish again, by flight, the glories of the last campaign? Or should we have dared to risque the existence of the kingdom itself, by engaging against such fearful odds?

What were the feelings of every one who hears me (what were my own feelings it is impossible to describe) when that great man Lord Howe set sail with our only fleet; inferior to the enemy, and under a probability of an engagement on their own coasts? My apprehensions, Sir, on this occasion, however great, were mixed with hope; I knew the superiority of British skill and courage might outweigh the inequality of numbers. But, Sir, in another quarter, and at the same instant of time, my apprehensions were unmixed with a ray of comfort. The Baltic fleet, almost as valuable as Gibraltar itself, for it contained all the materials for future war, was on its way to England; and twelve sail of the line had been sent out from the ports of Holland to intercept them. Gibraltar was relieved by a skill and courage that baffled superior numbers: and the Baltic fleet was, I know not how, miraculously preserved. One power, indeed, the honourable gentleman has omitted in *his* detail:—But the *Dutch*, Sir, had not been disarmed by the humiliating language of that gentleman's ministry. They were warmed into more active exertions, and were just beginning to feel their own strength. They were not only about to defend themselves with effect, but to lend ten sail of the line to the fleets of France and Spain. Here, Sir, let us pause for a moment of serious and solemn consideration!

Should the ministers have persevered from day to day to throw the desperate die, whose successes had won us only a barren though glorious safety, and whose failure in a single cast would sink us into hopeless ruin? However fondly the ideas of national expectation had diffused themselves amongst the people, the ministers, Sir, could entertain no rational hopes. Those columns of our strength, which many honourable gentlemen had raised with so much fancy, and decorated with so much invention, the ministers had surveyed with the eye of sober reason. I am sorry to say, we discovered the fabric of our naval superiority to be visionary and baseless.

I shall next, with submission to the right honourable gentleman who presides in that department, state, in a few words, the situation of the army. It is notorious to every gentleman who hears me, that new levies could scarcely be torn, on any terms, from this depopulated country. It is known to professional men how great is the difference between the nominal and effective state of that service; and, astonishing as it may appear, after a careful enquiry, three thousand men were the utmost force that could have been safely sent from this country on any offensive duty. But, I am told, Sir, the troops from New York would have supplied us with a force equal to the demands of every intended expedition. The foreign troops in that garrison we had no power to embark on any other than American service; and, in contradiction to the honourable gentleman who spoke last, and to that noble lord whose language he affects to speak in this house, no transports had been prepared, or could have been assembled for their immediate embarkation. Where, Sir, should they have directed their course when they were at length embarked, but into the hazard of an enemy's fleet, which would have cruized with undisputed superiority in every part of the western world.

No pressure of public accusation, nor heat of innocence in its own defence, shall ever tempt me to disclose a single circumstance which may tend to humiliate my country. What I am about to say will betray no secret of state; it is known, for it is felt throughout the nation. There remains at this instant, exclusive of the annual services, an unfunded debt of thirty millions.—Taxes, Sir, the most flattering, have again and again been tried, and, instead of revenue from themselves, have frequently produced a failure in others, with which they had been found to sympathize. But here, Sir, I am told by the honourable gentleman who spoke last, *other nations would have felt an equal distress.* Good God! to what a consequence does the honourable gentleman lead us! Should I, Sir, have dared to advise a continuance of war, which endangered the bankruptcy of public faith; a bankruptcy which would have almost dissolved the bonds of government, and have involved the state in the confusion of a general ruin? Should I

have ventured to do this, *because* ONE *of the adverse powers* MIGHT *have experienced an equal distress?*

The honourable gentleman who spoke last has amused the house with various statements, on the different principles of *uti possidetis* and restitution. The principle of those statements is as false as it is unexpected from him. Did his great naval friend acquaint him with the respective values of Dominique and St. Lucia? that lord, who in his Majesty's councils had advised, and perhaps wisely, a preference of the former. The value of Dominique, Sir, was better known to our enemies; and the immense sums employed by them in fortifying that island, prove as well its present value, as their desire to retain it. That honourable gentleman has, on all occasions, spoke with approbation of the last peace: was St. Lucia left in our hands by that peace, the terms of which we ourselves prescribed? or was St. Lucia really so impregnable as to endanger all our possesions at the commencement of the present war?

It would be needless for me to remind the honourable gentleman who spoke last of any declarations he had made in a preceding session: professions from *him* so antiquated and obsolete, would have but little weight in this house. But I will venture to require consistency for a single week, and shall remind him of his declaration in Monday's debate, "that even this peace was preferable to a continuance of the war." Will he then criminate his Majesty's ministers by the present motion, for preferring what *he* would have preferred? or how will he presume to prove, that, if better terms could have been obtained, it was less their interest than their duty to have obtained them.

Was this peace, Sir, concluded with the same indecent levity, that the honourable gentleman would proceed to its condemnation? Many days and nights were laboriously employed by his Majesty's ministers in such extensive negociations;—consultations were held with persons the best informed on the respective subjects;—many doubts were well weighed, and removed; and weeks and months of solemn discussion gave birth to that peace, which we are required to destroy without examination: that peace,

the positive ultimatum from France, and to which I solemnly assure the public there was no other alternative but a continuance of war.

Could the ministers, thus surrounded with scenes of ruin, affect to dictate the terms of peace? And are these articles seriously compared with the peace of Paris? There was, indeed, a time when Great Britain might have met her enemies on other conditions; and if an imagination, warmed with the power and glory of this country, could have diverted any member of his Majesty's councils from a painful inspection of the truth, I might, I hope, without presumption, have been entitled to that indulgence. I feel, Sir, at this instant, how much I had been animated in my childhood by a recital of England's victories:—I was taught, Sir, by one whose memory I shall ever revere, that at the close of a war, far different indeed from this, she had dictated the terms of peace to submissive nations. This, in which I place something more than a common interest, was the memorable æra of England's glory. But that æra is past: she is under the awful and mortifying necessity of employing a language that corresponds with her true condition: the visions of her power and pre-eminence are passed away.

We have acknowledged American Independence—that, Sir, was a needless form: the incapacity of the noble lord who conducted our affairs; the events of war, and even a vote of this house, had already granted what it was impossible to withhold.

We have ceded Florida—We have obtained Providence and the Bahama Islands.

We have ceded an extent of fishery on the coast of Newfoundland—We have established an exclusive right to the most valuable banks.

We have restored St. Lucia, and given up Tobago—We have regained Grenada, Dominica, St. Kitt's, Nevis, and Montserrat, and we have rescued Jamaica from her impending danger. In Africa we have ceded Goree, the grave of our countrymen; and we possess Senegambia, the best and most healthy settlement.

In Europe we have relinquished Minorca—kept up at an immense and useless expense in peace, and never tenable in war.

We have likewise permitted his Most Christian Majesty to repair his harbour of Dunkirk.—The humiliating clause for its destruction was inserted, Sir, after other wars than the past. But the immense expense attending its repair, will still render this indulgence useless; add to this, that Dunkirk was first an object of our jealousy when ships were constructed far inferior to their present draught. That harbour, at the commencement of the war, admttted ships of a single deck; no art or expense will enable it to receive a fleet of the line.

In the East Indies, where alone we had power to obtain this peace, we have restored what was useless to ourselves, and scarcely tenable in a continuance of the war.

But we have abandoned the unhappy loyalists to their implacable enemies—Little, Sir, are those unhappy men befriended by such a language in this house; nor shall we give much assistance to their cause, or add stability to the reciprocal confidence of the two states, if we already impute to Congress a violence and injustice, which decency forbids us to suspect. Would a continuance of the war have been justified on the single principle of assisting these unfortunate men? or would a continuance of the war, if so justified, have procured them a more certain indemnity? Their hopes must have been rendered desperate indeed by any additional distresses of Britain; those hopes which are now revived by the timely aid of peace and reconciliation.

These are the ruinous conditions to which this country, engaged with four powerful states, and exhausted in all its resources, thought fit to subscribe, for the dissolution of that alliance, and the immediate enjoyment of peace. Let us examine what is left, with a manly and determined courage. Let us strengthen ourselves against inveterate enemies, and reconciliate our antient friends. The misfortunes of individuals and of kingdoms, that are laid open and examined with true wisdom, are more than half redressed; and to this great object should be directed all the virtue and abilities of this house. Let us feel our calamities—let us bear them too, like men.

But, Sir, I fear I have too long engaged your attention to no

real purpose; and that the public safety is this day risqued, without a blush, by the malice and disappointment of faction. The honourable gentleman who spoke last has declared, with that sort of consistency that marks his conduct, "Because he is prevented from prosecuting the noble lord in the blue ribbon to the satisfaction of public justice, he will heartily embrace him as his friend." So readily does he reconcile extremes, and love the man whom he wishes to persecute! With the same spirit, Sir, I suppose he will cherish this peace too—*because he abhors it.*

But I will not hesitate to surmise, from the obvious complexion of this night's debate, that it originates rather in an inclination to force the Earl of Shelburne from the treasury, than in any real conviction that ministers deserve censure for the concessions they have made: concessions, which, from the facts I have enumerated, and the reasoning I have stated, as arising from these facts, are the obvious result of an absolute necessity, and imputable, not so much to those of whom the present cabinet is composed, as to that cabinet of which the noble lord in the blue ribbon was a member. This noble earl, like every other person eminent for ability, and acting in the first department of a great state, is undoubtedly an object of envy to some, as well as of admiration to others. The obloquy to which his capacity and situation have raised him has been created and circulated with equal meanness and address: but his merits are as much above my panegyric, as the arts, to which he owes his defamation, are beneath my attention. When stripped of his power and emoluments, he once more descends to private life without the invidious appendages of place, men will see him through a different medium, and perceive in him qualities which richly entitle him to their esteem. That official superiority which at present irritates their feelings, and that capacity of conferring good offices on those he prefers, which all men are fond of possessing, will not then be any obstacle to their making an impartial estimate of his character. But notwithstanding a sincere predilection for this nobleman, whom I am bound by every tie to treat with sentiments of deference and regard, I am far from wishing him retained in power against the public approbation; and if his

removal can be innocently effected, if he can be compelled to resign without entailing all those mischiefs which seem to be involved in the resolution now moved, great as his zeal for his country is, powerful as his abilities are, and earnest and assiduous as his endeavours have been to rescue the British empire from the difficulties that oppress her, I am persuaded he will retire, firm in the dignity of his own mind, conscious of his having contributed to the public advantage, and, if not attended with the fulsome plaudits of a mob, possessed of that substantial and permanent satisfaction which arises from the habitual approbation of an upright mind. I know him well: and dismiss him from the confidence of his sovereign, and the business of state when you please, to this transcendant consolation he has a title, which no accident can invalidate or affect. It is the glorious reward of doing well, of acting an honest and honourable part. By the difficulties he encountered on his accepting the reins of government, by the reduced situation in which he found the state of the nation, and by the perpetual turbulence of those who thought his elevation effected at their own expense, he has certainly earned it dearly: and with such a solid understanding, and so much goodness of heart as stamp his character, he is in no danger of losing it. Nothing can be a stronger proof that his enemies are eager to traduce, than the frivolous grounds on which they affect to accuse him. An action, which reflects a lustre on his attention to the claims of merit,* has yet been improved into a fault in his conduct. A right honourable gentleman, who has exhausted his strength in the service of the state, and to whose years and infirmities his absence from parliament can only be attributed, owes to the friendship and interference of the noble earl a pension, which, however adequate to all his necessities and convenience in the evening of life, is no extraordinary compensation for the public spirit which has uniformly marked his parliamentary conduct. Surely the abilities and virtues of this veteran soldier and respectable senator, deserved some acknowledgment from that community in which they have been so often and so manfully exerted. Surely his age entitled him to a little

* Alluding to the pension granted to Colonel Barré.

repose in the lap of that public to whose welfare his youth had been dedicated. Surely, that principle of humanity, which stimulates those in power to commiserate in this manner the situation of neglected merit, possesses a nobleness, a generosity, a benevolence, which, instead of incurring the censure of any, ought to command the admiration and praise of all.

I repeat then, Sir, that it is not this treaty, it is the Earl of Shelburne alone whom the movers of this question are desirous to wound. This is the object which has raised this storm of faction; this is the aim of the unnatural coalition to which I have alluded. If, however, the baneful alliance is not already formed, if this ill-omened marriage is not already solemnized, I know a just and lawful impediment, and, in the name of the public safety, *I here forbid the banns.*

My own share in the censure, pointed by the motion before the house against his Majesty's ministers, I will bear with fortitude, because my own heart tells me I have not acted wrong. To this monitor, who never did, and, I trust, never will, deceive me, I will confidently repair, as to an adequate asylum from all the clamour which interested faction can raise. I was not very eager to come in, and shall have no great reluctance to go out, whenever the public are disposed to dismiss me from their service. It has been the great object of my short official existence to do the duties of my station with all the ability and address in my power, and with a fidelity and honour which should bear me up, and give me confidence, under every possible contingency or disappointment. I can say with sincerity, I never had a wish which did not terminate in the dearest interests of the nation. I will at the same time imitate the honourable gentleman's candour, and confess, that I too have my ambition. High situation, and great influence, are desirable objects to most men, and objects which I am not ashamed to pursue, which I am even solicitous to possess, whenever they can be acquired with honour, and retained with dignity. On these respectable conditions, I am not less ambitious to be great and powerful than it is natural for a young man, with such brilliant examples before him, to be-

But even these objects I am not beneath relinquishing, the moment my duty to my country, my character, and my friends, renders such a sacrifice indispensable. Then I hope to retire, not disappointed, but triumphant; triumphant in the conviction that my talents, humble as they are, have been earnestly, zealously, and strenuously, employed to the best of my apprehension, in promoting the truest welfare of my country; and that, however I may stand chargeable with weakness of understanding, or error of judgment, nothing can be imputed to my official capacity which bears the most distant connection with an interested, a corrupt, or a dishonest intention. But it is not any part of my plan, when the time shall come that I quit my present station, to threaten the repose of my country, and erect, like the honourable gentleman, a fortress and a refuge for disappointed ambition. The self-created and self-appointed successors to the present administration, have asserted with much confidence, that this is likely to be the case. I can assure them, however, when they come from that side of the house to this, I will for one most readily and cordially accept the exchange. The only desire I would indulge and cherish on the subject is, that the service of the public may be ably, disinterestedly, and faithfully performed. To those who feel for their country as I wish to do, and will strive to do, it matters little who are out or in; but it matters much that her affairs be conducted with wisdom, with firmness, with dignity, and with credit. Those entrusted to my care I will resign, let me hope, into hands much better qualified to do them justice than mine. But I will not mimic the parade of the honourable gentleman in avowing an indiscriminate opposition to whoever may be appointed to succeed. I will march out with no warlike, no hostile, no menacing protestations; but hoping the new administration will have no other object in view than the real and substantial welfare of the community at large; that they will bring with them into office those truly public and patriotic principles which they formerly held, but which they abandoned in opposition; that they will save the state, and promote the great purposes of public good, with as much steadiness,

integrity, and solid advantage, as I am confident it must one day appear the Earl of Shelburne and his colleagues have done, I promise them, before-hand, my uniform and best support on every occasion, where I can honestly and conscientiously assist them.

In short, Sir, whatever appears dishonourable or inadequate in the peace on your table, is strictly chargeable to the noble lord in the blue ribbon, whose profusion of the public's money, whose notorious temerity and obstinacy in prosecuting the war, which originated in his pernicious and oppressive policy, and whose utter incapacity to fill the station he occupied, rendered peace of any description indispensable to the preservation of the state. The small part which fell to my share in this ignominious transaction, was divided with a set of men, whom the dispassionate public must, on reflection, unite to honour. Unused as I am to the factious and jarring clamours of this day's debate, I look up to the independent part of the house, and to the public at large, if not for that impartial approbation which my conduct deserves, at least for that acquittal from blame to which my innocence entitles me. I have ever been most anxious to do my utmost for the interest of my country; it has been my sole concern to act an honest and upright part, and I am disposed to think every instance of my official department will bear a fair and honourable construction. With these intentions, I ventured forward on the public attention; and can appeal with some degree of confidence to both sides of the house, for the consistency of my political conduct. My earliest impressions were in favour of the noblest and most disinterested modes of serving the public: these impressions are still dear, and will, I hope, remain for ever dear to my heart: I will cherish them as a legacy infinitely more valuable than the greatest inheritance. On these principles alone I came into parliament, and into place; and I now take the whole house to witness, that I have not been under the necessity of contradicting one public declaration I have ever made.

I am, notwithstanding, at the disposal of this house, and with

their decision, whatever it shall be, I will cheerfully comply. It is impossible to deprive me of those feelings which must always result from the sincerity of my best endeavours to fulfil with integrity every official engagement. You may take from me, Sir, the privileges and emoluments of place, but you cannot, and you shall not, take from me those habitual and warm regards for the prosperity of Great-Britain, which constitute the honour, the happiness, the pride of my life; and which, I trust, death alone can extinguish. And, with this consolation, the loss of power, Sir, and the loss of fortune, though I affect not to despise them, I hope I soon shall be able to forget:

Laudo manentem; si celeres quatit
Pennas, resigno quæ dedit—
——————— *probamque*
Pauperiem sine dote quæro.

The three first resolutions were agreed to without opposition. Upon the fourth, the house divided,

Ayes.....	207
Noes.....	190
Majority for censuring the terms of the Peace	17*

March 31, 1783.

THE Earl of Surrey called the attention of the House to the unsettled state of the administration; and desired to know, from the right honourable gentleman (Mr. Pitt) who had just entered the House, whether an administration had yet been formed, or whether there was a near probability of such an event taking place; as if that was the case, he observed, the necessity that enforced his motion was superseded, and he should take pleasure in not being obliged to bring it forward.

Mr. PITT said, he was to inform the noble lord, and the house,

* Public affairs continued, for several weeks after this division, in a state of great disorder; no new administration was appointed, and the negociations for power were, through the several conjunctions of parties, carried on with much violence and animosity.

that he was not competent to give official information of any thing that came within his knowledge of the forming of an administration, as his royal master had, a little time before, on that day, been graciously pleased to accept his resignation of that employ which he had the honour of filling in his government. If the noble lord, however, would accept of his personal knowledge, he would pledge himself, it was the earnest desire of his gracious sovereign to accede to the wishes and requisitions of his faithful commons, and which he had so amply testified in his answer to their address. However, though he could not take upon himself to say that an administration was formed, or when an event, which was so much to be wished for, should take place, his full reliance upon his Majesty's answer to the address firmly persuaded him, that his Majesty was anxiously employed in effectuating a purpose which was so much the wish of his people, and of his faithful commons in particular.

This explanation not proving satisfactory, the Earl of Surrey declared, that he found himself the more peculiarly called upon to proceed with his motion, and he accordingly moved, "That a considerable time having now elapsed without an administration responsible for the conduct of public affairs, the interposition of this House on the present alarming crisis is become necessary."

Mr. PITT again rose to assure the house that he gave every credit to the noble mover for the best intentions. He, however, did not admit with the noble lord, that there was a necessity for such a resolution after his Majesty's answer of Wednesday, and he thought the words of that resolution were as exceptionable as its spirit. There was an indecency in the language and style of it, of which he said, he could never approve, and the spirit of it aimed at the very dissolution of the government of this country. If the most undoubted, the most constitutional, the most necessary prerogative of the crown was to be wrested from it; or if any thing like an interference of that house, tantamount to such an intention, once took place, then there was an end of the constitution, and the very political existence of this country.

Mr. Pitt caught hold of the noble lord's word *co-operating*, to which he attached himself for some time, and said, for his part, he could not form a doubt but that it was the wish of the house to establish such a co-operation as would prove undoubtedly of the most salutary consequence; that co-operation, however, was not to be acquired by the present resolution, which tended neither in its letter, nor its spirit, to conciliate it. If, by any co-operation of sentiment, in respect to an address, there was a probable likelihood of removing the difficulties that stood in the way of forming an administration, there was no man to be found more ready than he should be to adopt and subscribe to it; but he asked, and he demanded an answer from gentlemen, whether it was decent, whether it was loyal, whether it was parliamentary, whether it was constitutional, whether it was prudent, to agree to the motion proposed by the noble lord? He requested the house to consider that it was only on Wednesday last when his Majesty received the address, and that there had elapsed but four days since that time. The royal answer was all that parliament could expect, it was all that parliament could wish, and a reasonable time should be allowed for conforming to the requisitions of the house. He lamented the situation of government without a minister, and saw inevitable destruction to the country if an administration was not formed; yet he must confess at the same time, that the measure proposed to the house to effect that desirable purpose did not meet his idea of what was due to the country, and what was due to the sovereign. The motion strongly militated against political justice, and went directly to abolish the clear and undisputed privileges of the crown, and to effect a dissolution of all regal authority.

Until, therefore, he heard some sound reason adduced, some good substantial argument in proof of the propriety of the noble lord's motion, it should not, it could not, have his assent. In the words in which it now stood, it seemed to him to be couched in terms totally unwarrantable according to the present situation of the business. A most gracious answer had come from his Majesty, of which he was certain every member of the house approved; and that

answer he insisted was a sufficient security to parliament of the sovereign's intentions to comply with the wishes of the house. It was a pledge of a very strong nature, and which, if the noble lord's motion was carried, must in consequence lose its intrinsic value, and give an opinion of the royal word, which, perhaps, nay, which he was certain, it was not in the intention of any member of that assembly to convey. If a second application became necessary, it should be adopted with propriety, and conveyed with delicacy. There was a respect due to Majesty, which he hoped the house would never forget, as it was one of the great links that bound the three estates of the constitution together. Having said thus much, he observed, he should not, until he heard what was farther to be urged in support of the motion, take up any more of the time of the house.

Lord John Cavendish and Lord North disapproved of the resolution, preferring, as a more eligible mode, the form of an address. Lord North, in the course of his remarks, objected further to the wording of the motion. It implied, he said, that for six weeks past there had been no responsible ministers: this was not the fact; there had been ministers, who, till they resigned, were responsible for the conduct of government—responsible as ministers for every part of their conduct. This brought up Mr. PITT once more:

Considering himself called upon by the noble lord who spoke last, he declared that, so long as he held any employment under the crown, he looked upon himself as responsible to parliament and to the people for his conduct. He wished not to conceal nor to do away, any one act during his official administration, by resigning the place he lately held. His desire—his ambition was, that his conduct as chancellor of the exchequer should meet every investigation—should be canvassed and scrutinized. He was conscious in himself that he acted uprightly, and therefore had nothing to dread. He again repeated, that he was responsible so long as he continued in office, and that he shadowed himself not from enquiry under the idea of retirement.

The Earl of Surrey then, in compliance with the wishes of the House, withdrew the resolution he had proposed; and substituted in its stead an address

to his Majesty, in substance the same, but differing in its language from the original resolution.

To the proposition thus modified Mr. Pitt had only to object that it was something premature. He again made a public declaration, that he was unconnected with any party whatever; that he should keep himself reserved, and act with which ever side he thought did right. He would abide by the declaration he had made on a former occasion, that he would take no active part for or against any party, but would be guided solely by the measures that were pursued; and it would be with the utmost reluctance that he should oppose any administration whatever; neither would he do it unless he was convinced they were acting wrong. In reply to what had been said about his responsibility, he declared, he was the last man in the kingdom holding the principles that he repeatedly avowed in that house, and meaning to act up to those principles in every possible situation, who would for a moment attempt to argue, that persons holding offices were not responsible for every part of their public conduct. Undoubtedly they were, and he held himself responsible to the very hour of his resignation. At the same time, he trusted, that it would be admitted, the extent of the responsibility was to be determined and governed by the peculiar circumstances of the times. If it should appear hereafter, that he had, on any occasion, within the past six weeks, done what he ought not to have done, or left undone what he ought to have done, or, in fact, neglected to promote the public interest where he could have promoted it, he was ready to admit his culpability.

With respect to the motion before the house, he really thought it too precipitate: there had been scarce time, since his Majesty had given his gracious answer, to form an arrangement. He could wish, as the right honourable gentleman had said, that unanimity would prevail, and that the address would be withdrawn without a division. He would not pledge himself to the house that such an arrangement would positively be made as the former address required, yet he thought an arrangement would

take place in the course of a few days; therefore he could wish they would wait for it, and if then they should observe any culpable delay, the motion should have his hearty concurrence and support. He would not pledge himself to abide by the exact words, but he certainly would vote for an address to the throne to know the cause of delay.

The motion was agreed to be withdrawn, but with the notice of its being resumed on an early day.*

May 7, 1783.

Mr. PITT this day brought forward his promised motion respecting the Reform of Parliamentary Representation.

* On the 2d of April it was announced to the house, that a new administration had been formed.

Members of the Cabinet.

Duke of Portland..... First Lord of the Treasury.
Lord North..... Secretary of State for the Home Department.
Right Hon. Charles James Fox, Ditto for the Foreign Department.
Lord John Cavendish..... Chancellor of the Exchequer.
Lord Viscount Keppel .... First Lord of the Admiralty.
Lord Viscount Stormont ... President of the Council.
Earl Carlisle ..... Lord Privy Seal.

Not of the Cabinet.

Lord Loughborough .....
Sir Wm. Henry Ashurst.... } Lords Commissioners for the Custody of
Sir Beamont Hotham .... } the Great Seal.
Lord George Townshend.... Master-General of the Ordnance.
Hon. Richard Fitzpatrick.... Secretary at War.
Edmund Burke, Esq..... Paymaster of the Forces.
Charles Townshend, Esq..... Treasurer of the Navy.
James Wallace, Esq..... Attorney-General.
John Lee, Esq. ..... Solicitor-General.
Rich. Brinsley Sheridan, Esq. } Secretaries to the Treasury.
Richard Burke, Esq. ..... }
Earl of Mansfield..... Speaker of the House of Lords.
Earl of Northington ..... Lord Lieutenant of Ireland.
William Wyndham, Esq..... Secretary to do.

In order to secure a full attendance of members on this important question, the house had been previously called over; and now, after the various petitions that had been presented in favour of the measure had been read,

Mr. PITT rose to open the business. He declared, that in his life he had never felt more embarrassment, or more anxiety than he felt at that moment, when, for his country's good, he found himself obliged to discover, and lay before the house, the imperfections of that constitution to which every Englishman ought to look up with reverential awe; a constitution which, while it continued such as it was framed by our ancestors, was truly called the production of the most consummate wisdom: raised by that constitution to greatness and to glory, England had been at once the envy and the pride of the world: Europe was taught by experience that liberty was the foundation of true greatness; and that while England remained under a government perfectly free, she never failed to perform exploits that dazzled the neighbouring nations. To him, he did assure the house, it was interesting, indeed interesting and awful beyond the power of description. He wished, however, the house to view the arduous and very difficult task he had ventured to undertake, in its true light. No man saw that glorious fabric, the constitution of this country, with more admiration, nor with more reverence than himself: he beheld it with wonder, with veneration, and with gratitude: it gave an Englishman such dear and valuable privileges, or he might say, such advantageous and dignified prerogatives, as were not only beyond the reach of the subjects of every other nation, but afforded us a degree of happiness unknown to those who lived under governments of a nature less pregnant with principles of liberty: indeed there was no form of government on the known surface of the globe, that was so nearly allied to perfect freedom. But a melancholy series of events, which had eclipsed the glory of Britain, exhibited a reverse of fortune, which could be accounted for only upon this principle, that, during the last fifteen years, there had been a deviation from the principles of that happy constitution, under which the people of England had so long flourished.

Mr. Pitt reminded the house how and upon what reasons the public had begun to look at the state of parliamentary representation; of the steps they had taken to procure some remedy for the inadequacy which they discovered; the degree of success that their endeavours had met with; and what it was, that particularly occasioned him to rise at that moment, in support of their petitions. He said, to put the house in possession of all these circumstances, he need only advert to the history of a few years recently past; a history which he would touch upon as shortly as possible, because it was not only a most melancholy picture of calamitous and disgraceful events, but because it was so extremely difficult to mention it in any shape, that would not appear invidious and personal. He then stated that the disastrous consequences of the American war, the immense expenditure of the public money, the consequent heavy burthen of taxes, and the pressure of all the collateral difficulties produced by the foregoing circumstances, gradually disgusted the people, and at last provoked them to "turn their eyes inward on themselves," in order to see if there was not something radically wrong at home, that was the chief cause of all the evils they felt from their misfortunes abroad. Searching for the internal sources of their foreign fatalities, they naturally turned their attention to the constitution under which they lived, and to the practice of it. Upon looking to that house, they found that by length of time, by the origin and progress of undue influence, and from other causes, the spirit of liberty and the powers of check and control upon the crown and the executive government, were greatly lessened and debilitated. Hence clamours sprung up without doors, and hence, as was perfectly natural, in the moment of anxiety, to procure an adequate and a fit remedy to a practical grievance, a spirit of speculation went forth, and a variety of schemes, founded in visionary and impracticable ideas of reform, were suddenly produced. It was not for him, he said, with unhallowed hands to touch the venerable pile of the constitution, and deface the fabric; to see it stand in need of repair was sufficiently melancholy: but the more he revered it, the more he wished to secure its duration

to the latest posterity, the greater he felt the necessity of guarding against its decay. Innovations were at all times dangerous; and should never be attempted, but when necessity called for them. Upon this principle he had given up the idea which he suggested to the house last year; and therefore his object at present was not to innovate, but rather to renew and invigorate the spirit of the constitution, without deviating materially from its present form. When he submitted this subject to the consideration of the house last year, he was told, that the subject ought not to be discussed amidst the din of arms; the objection was not then without its force; but at present it could not be renewed, as we were happily once more in the enjoyment of the blessings of peace. This therefore was a proper time to enter upon the business of a reformation, which every man, who gave himself a moment's time to think, must be satisfied was absolutely necessary.

An Englishman, who should compare the flourishing state of his country some twenty years ago, with the state of humiliation in which he now beholds her, must be convinced, that the ruin which he now deplores, having been brought on by slow degrees, and almost imperceptibly, proceeded from something radically wrong in the constitution. Of the existence of a radical error no one seemed to doubt; nay, almost all were so clearly satisfied of it, that various remedies had been devised by those who wished most heartily to remove it. The house itself had discovered, that a secret influence of the crown was sapping the very foundation of liberty by corruption: the influence of the crown had been felt within those walls, and had often been found strong enough to stifle the sense of duty, and to over-rule the propositions made to satisfy the wishes and desires of the people; the house of commons (in former parliaments) had been base enough to feed the influence that enslaved its members: and thus was at one time the parent and the offspring of corruption. This influence, however, had risen to such a height, that men were ashamed any longer to deny its existence, and the house had at length been driven to the necessity of voting that it ought to be

diminished. Various were the expedients that had been thought of, in order to effect so salutary a purpose, as was that of guarding against this influence; of shutting against it the doors of that house, where, if it once got footing, after the resolution alluded to, liberty could no longer find an asylum. The house of commons, which, according to the true spirit of the constitution, should be the guardian of the people's freedom, the constitutional check and control over the executive power, would, through this influence, degenerate into a mere engine of tyranny and oppression, to destroy the constitution in effect, though it should, in its outward form, still remain.

Among the various expedients that had been devised to bar the entrance of such influence into that house, he had heard principally of three. *One* was, to extend the right of voting for members to serve in parliament, which was now so confined, to all the inhabitants of the kingdom indiscriminately; so that every man, without the distinction of freeholder, or freeman of a corporation, should have the franchise of a vote for a person to represent him in parliament;—and this mode, he understood, was thought by those who patronised it, to be the only one that was consistent with true liberty in a free constitution, where every one ought to be governed by those laws only to which all have actually given their consent, either in person, or by their representative. For himself, he utterly rejected and condemned this mode, which it was impossible for him to adopt, without libelling those renowned forefathers who had framed the constitution in the fulness of their wisdom, and fashioned it for the government of freemen, not of slaves. If this doctrine should obtain, nearly one half of the people must in fact be slaves; for it was absolutely impossible that this idea of giving to every man a right of voting, however finely it might appear in theory, could ever be reduced to practice. But, though it were even practicable, still one half of the nation would be slaves; for all those who vote for the unsuccessful candidates cannot, in the strictness of this doctrine, be said to be represented in parliament; and therefore they are governed by laws to which they give not their assent,

either in person or by representatives; consequently, according to the ideas of the friends to this expedient, all those who vote for unsuccessful candidates, must be slaves; nay, it was oftentimes still harder with those who are members of parliament, who are made slaves also, and are governed by laws to which they not only have not given their consent, but against which they have actually voted.

For his part, his idea of representation was this, that the members once chosen, and returned to parliament, were, in effect, the representatives of the people at large, as well of those who did not vote at all, or who, having voted, gave their votes against them, as of those by whose suffrages they were actually seated in the house. This being therefore his principle, he could not consent to an innovation founded on doctrines subversive of liberty, which in reality went so far as to say, that this house of commons was not, and that no house of commons ever had been, a true and constitutional representation of the people; for no house of commons had yet been elected by *all* the men in the kingdom. The country had long prospered, and had even attained the summit of glory, though this doctrine had never been embraced; and he hoped that no one would ever attempt to introduce it into the laws of England, or treat it in any other light than as a mere speculative proposition, that may be good in theory, but which it would be absurd and chimerical to endeavour to reduce to practice.

The *second* expedient he had heard of, was to abolish the franchise which several boroughs now enjoy, of returning members to serve in parliament. These places were known by the favourite—popular appellation of *rotten boroughs*. He confessed that there was something very plausible in this idea; but still he was not ready to adopt it; he held those boroughs in the light of deformities, which in some degree disfigured the fabric of the constitution, but which he feared could not be removed without endangering the whole pile. It was true that the representation of the people could not be perfect, nay, it could not be good, unless the interests of the representatives and the represented

were the same; the moment they became different, from that moment the liberty of the people was in danger; because those who ought to be the guardians of it might find their account in circumscribing it within narrower limits than the constitution marked out, or in carrying through measures, which might in the end effectually destroy it. It must be admitted, from a variety of circumstances, which it was unnecessary for him at present to explain, that though the members returned by boroughs might be for the present the brightest patterns of patriotism and liberty, still there was no doubt but that borough members, considered in the abstract, were more liable to the operation of that influence, which every good man wished to see destroyed in that house, than those members who were returned by the counties; and therefore, though he was afraid to cut up the roots of this influence by disfranchising the boroughs, because he was afraid of doing more harm than good by using a remedy that might be thought worse than the disease, still he thought it his duty to counteract, if possible, that influence, the instruments of which he was afraid to remove. The boroughs ought to be considered, not only as places of franchise, but also as places where the franchise was in some measure connected with property by burgage tenure; and therefore, as he was unwilling to dissolve the boroughs, he would endeavour to defeat the effect of undue influence in them, by introducing and establishing a counterbalance, that should keep it down, and prevent it from ruining the country.

This brought him naturally to the *third* expedient, that he had often heard mentioned, which was, to add a certain number of members to the house, who should be returned by the counties and the metropolis. It was unnecessary for him to say, that the county members in general were almost necessarily taken from that class and description of gentlemen the least liable to the seduction of corrupt influence, the most deeply interested in the liberty and prosperity of the country, and consequently the most likely to pursue such measures as appeared to them the most salutary to their country: in the hands of such men the liberties of

their constituents would be safe, because the interests of such representatives and the represented must necessarily be the same. This expedient appeared to him the most fit to be adopted, because it was the least objectionable; it had the merit of promising an effectual counterbalance to the weight of the boroughs, without being an innovation in the form of the constitution. He would not then say what number of members ought to be added to the counties; he would leave that to be inserted in a bill, which, if the resolutions he meant to propose should pass, he intended to move for leave to bring in; he however would say, that in his opinion, the number ought not to be under one hundred. It was true he thought the house would then be more numerous than he could wish; but still it were better it should be so, than that the liberties of the country should be exposed to destruction from the baleful influence of the crown in the boroughs. He was not, however, without an expedient, by degrees, to reduce the number of members, even after the addition, down to nearly the present number: his expedient was this: that whenever it should be proved before the tribunal, which happily was now established by law to try the merits of contested elections, that the majority of any borough had been bribed and corrupted, the borough should then lose the privilege of sending members to parliament; the corrupt majority should be disfranchised, and the honest minority be permitted to vote at elections for knights of the shire. By this expedient he was sure the boroughs would be preserved free from corruption; or else they must be abolished gradually, and the number of members of that house be reduced to its present standard. This disfranchising of boroughs would be the work of time: the necessity of defranchising any one, whenever that necessity should appear, would sanctify the measure; it would appear to be, what in fact it would then be, an act of justice, not of whim, party, or caprice; as it would be founded not on surmise, but on the actual proof of guilt.

After amplifying upon this for some time, and shewing that it was equally founded in policy and in justice, he urgently pressed the necessity of something being done in compliance with the pe-

titions that had been presented, complaining of the present state of the representation; and took abundant pains to caution the house against adopting any extravagant plans of reform that might be suggested by enthusiastic speculatists on the one hand, or obstinately refusing to take any step whatever in compliance with the petitions, under a childish dislike, and dread of innovation, on the other. After urging very elaborately an infinite variety of arguments, Mr. Pitt said his first resolution was what he conceived every individual member would feel the force, and be ready to come into, without a moment's hesitation: of his second, he entertained hopes pretty nearly as sanguine, convinced as he was of its propriety and justice; and with regard to his third, though it might possibly meet with considerable opposition, he was extremely anxious to obtain it the sanction of the house. He then read his three resolutions, which in substance were as follow:

1. "That it was the opinion of the house that measures were highly necessary to be taken for the future prevention of bribery and expense at elections."

2. "That for the future, when the majority of voters for any borough should be convicted of gross and notorious corruption before a select committee of that House appointed to try the merits of any election, such borough should be disfranchised, and the minority of voters not so convicted should be entitled to vote for the county in which such borough should be situated."

3. "That an addition of knights of the shire, and of representatives of the metropolis, should be added to the state of the representation."

Mr. Pitt said, if he should be so happy as to succeed in carrying these resolutions, his intention was to bring in a bill upon their respective principles. When that bill was under consideration, it would then be the proper time for discussing and deciding on the number of knights of the shire to be added, and for making all such other regulations and restrictions as to the wisdom of the house might appear necessary. He therefore should not hold any gentleman, who chose to for vote his resolutions

as containing general propositions, to be bound and pledged either to support the bill he intended to bring in, provided the House agreed to his present motion, or to any clauses it might be fraught with, but to be wholly at liberty, and as much unrestrained in that respect as if he had not voted in support of the resolutions. Before he sat down, he again earnestly pressed the house either to adopt his propositions, or to suggest some other plan equally calculated to remedy the grievance.

The house divided on the order of the day, as moved by Mr. Powys,

Ayes.....	293
Noes.....	149
Majority against Mr. Pitt's propositions,	144

June 17, 1783.

Mr. PITT having, on a former night, brought in a bill for abolishing fees, and establishing various regulations in the offices of the Treasury, Admiralty, Ordnance, Excise, and Stamps, and of several other offices therein mentioned, moved the house this day to resolve itself into a committee on the said bill; which being opposed by Lord John Cavendish, on the ground of the inutility of the measure,

MR. PITT expressed a good deal of surprize at what had fallen from the noble lord. He would not refer the regulations to the commissioners of public accounts, and yet he intended to continue them for another year! But above all, he was surprised at hearing the noble lord say, that the heads of the different offices would be the best persons to correct the abuses, and introduce new regulations into their several departments. He said he would state a few facts to the house, which would convince them of two things, that abuses did exist in several public offices, and that the heads of these offices were not the most fit persons to correct them.

If there was any object more worthy the jealousy of parliament than another, it was to take care that the receipt and expenditure

of the public money were, in all the great revenue offices, conducted and managed with the utmost purity and fidelity. The evil consequences of a contrary practice were too obvious to need illustration. He would, therefore, proceed to shew, that abuses in offices of revenue really existed, and that to a very great and alarming amount. And first, he would say something with regard to fees, gratuities, and perquisites. To instance one office only; in the navy-office, when an enquiry was instituted by the late board of Treasury, with a view to prepare the present bill of reform, the answer given was, that there were no fees received by that office. Upon a closer examination of the matter, however, it afterwards came out, that although there were no fees, received as such, yet that money, to a very considerable amount was received by some of the officers, under the name of gifts: thus, for instance, the chief clerk of the navy-office received a salary of about 240 or 250*l.* a year, and it turned out that he received no less than 2500*l.* in gifts. Other clerks with smaller salaries received gifts in proportion. Mr. Pitt dwelt for some time on this fact, and urged, that the public were liable to have great frauds practised upon them, if those, in whose hands the means of check and controul were placed, were in the practice of receiving what certainly might be termed the wages of corruption. In the particular instances of those officers of the public yards, who were entrusted with the delivery of stores, the house must see that the practice was big with the most dangerous mischief. Mr. Pitt further stated, that in various other cases, the practice prevailed to an alarming degree, and mentioned a particular contract that had been deemed a very easy one, insomuch so, that it had been a matter of wonder how it could be fulfilled on terms so extremely reasonable. The solution of the enigma was, however, as easy as any solution could be, since it was only recollecting that the officers, who were to pass the contractor's accounts, to see that his contract was duly and faithfully executed, and to report, if they found the contrary to be the fact, were each of them in the pay of the contractor. In order, therefore, to put a stop to these abuses, and to prevent any more

of this infamous traffic between the clerks in office, immediately concerned in checking, passing, and expediting the accounts of persons employed in serving the public with different articles, and those persons themselves, he said, the aim of one clause of the bill was to establish and ascertain the actual amount of all the fees hereafter to be taken, and to appoint an officer in each office to receive the fees thus established.

While he was upon this part of the subject, he took notice of what had fallen from Mr. Burke a few days since, and said, that honourable gentleman had charged the two late secretaries of state with having unprecedentedly and illegally extorted enormous fees for passports. [Mr. Fox and Mr. Burke said across the house, there never was any such charge made.] Mr. Pitt, observing the contradiction, said, he averred it on his recollection, that the charge was as he had declared it to be. He then explained the matter, by stating, that when passports had been applied for on the conclusion of the peace, enquiry was made what had been the custom and usage of the office in that particular, when the noble lords, then secretaries of state, were each informed what the uniform practice had been, and that practice they very naturally followed. Upon the matter being complained of as a grievance, one of the noble lords had declared, he had no objection to abide by the decision of a court of law, and had in the mean time stopped the distribution of the fees so taken. So far, therefore, had the honourable gentleman, who had moved for the account of passports granted, been from bringing forward any thing adverse to the bill under consideration, that he was free to confess his obligations to the honourable gentleman in that particular, since the honourable gentleman had thereby fortified him with a very strong argument in support of the bill, and in proof of the necessity of such a bill's passing. In order to shew that he felt the matter in that way, he declared, he meant to move for an instruction to the committee, to insert a clause to make the bill extend to the fees taken in the secretaries of state's office, as well as in the others already enumerated in the first clause of the bill.

He also took notice of a remark make by Mr. Sheridan a few days ago, who had charged the late board of treasury with having created a new fee at the very time that they professed to be employed in forwarding plans of economy and reform respecting office-fees in general. Mr. Pitt said, the charge was ill-founded, and he went into an explanation of the subject-matter of it, declaring that the lords of the treasury had acted therein solely upon the ground of custom: that the matter related to a sum claimed as a gratuity upon contract, which the treasury, as a custom and usage were proved to have warranted such gratuities, and as the regulations intended relative to such points were not at the time carried into execution, had allowed to be taken. [Mr. Pitt produced and read the treasury minute that had been made on this occasion, in proof of what he asserted.] In the course of speaking of fees, he also mentioned the place of the secretary of the post-office, who, with a salary of 500 or 600*l.* made an annual income of upwards of three thousand. Mr. Pitt stated this to arise from his having two and a half per cent. on all packets; and in the last year of the war, he said, 140,000*l.* had been expended in packets, so many were either lost at sea or taken. He likewise alluded to the salaries of the two secretaries of the treasury, which he stated at 2000*l.* a year during peace, but said they swelled to 5000*l.* a year during war.

After very amply discussing the subject of official abuses in respect to fees, perquisites, and gratuities, he proceeded to the other parts of the bill, promising not to take up the time of the house in saying much on those, which were admitted by the noble lord to be proper objects of reform. The sale of places certainly ought to be checked, and so likewise ought some regulations to be made respecting the superannuation of officers, and the appointment of persons to discharge the duty of such as may have leave of absence. He would mention one instance of the latter species of abuse, which, he trusted, would sufficiently demonstrate the necessity of some immediate reform. Previous to the existence of the last board of treasury, a practice had obtained of the occasional superannuation of the stampers of the stamp-of-

fice, when the commissioners of the treasury each appointed a stamper, regularly one after the other in turn, as real vacancies happened, or as artificial vacancies were created. It also pretty generally was the practice for each commissioner to appoint one of his own servants, and instantly to grant him a leave of absence, which leave of absence was constantly renewed for six months, every half year; so that, in fact, the place was a sinecure to the servants appointed, and all the business was done by a deputy. This abuse the last board of treasury had stopped as far as in them lay, and he meant in this bill to give the regulation in this particular the sanction of an act of parliament. The creation of new offices unnecessarily, was equally a matter that called for reform. It was pregnant with abuse, and could produce no possible good to the public.

The next article the bill stated its intention to reform, was the improvident expenditure of the public money in what were termed incidental expenses; under which head were comprehended, the supply of persons in office with coals, candles, furniture, &c. This, he observed, was subject to great abuse, and had in some instances been carried to a most absurd and indefensible extent, there being in existence, to his knowledge, various proofs of officers having not only made no scruple to order the different articles, at the expense of the public, to their dwelling-houses in town, but even to their houses in the country, and that at a most extravagant rate.

The clause Mr. Pitt next spoke of, was the clause relative to work done in the houses held under government. The abuses under this head, he declared, it appeared from enquiry, were very great. He mentioned the expense of repairing the house in Downing-street, in which he had the honour to be lodged for a few months. The repairs of that house only, had, he said, but the year or two before he came into office, cost the public 10,000*l.* and upwards; and for the seven years preceding that repair, the annual expense had been little less than 500*l.* The alterations that had cost 10,000*l.* he stated to consist of a new kitchen and offices, extremely convenient, with several comfortable lodging-

rooms; and he observed, that a great part of the cost, he had understood, was occasioned by the foundation of the house proving bad. Nor had the house of the chancellor of the exchequer alone proved a source of expense. Other houses belonging to the public in Bushy Park, at Hampton Court, and elsewhere, though they had not cost so much, had followed at no very considerable distance, and would be allowed, when the charges were ascertained, to have kept their pace in tolerably regular gradations.

He at length came to the latter clauses of the bill, those respecting the improvident consumption of stationary wares by the officers of the different departments of government. The abuses under this article of charge were, he said, almost incredible, and the mode of abuse in some instances truly ridiculous. He had even heard of rooms being papered with stationary at the expense of the public, and of other as unjustifiable uses of it. The annual charge on account of stationary wares, he stated to be above eighteen thousand pounds, and it would, he believed, somewhat astonish the noble lord in the blue ribbon,* when he told the house, and informed him, (for he really believed the noble lord had no idea of any such circumstance) that the noble lord alone, as the first lord of the treasury, cost the public, the year before the last, no less than thirteen hundred pounds for stationary. Great as this sum must appear to gentlemen, he declared, that, knowing as he did, of what curious articles the bill consisted, he should not have wondered if the amount had been as many thousands as it was hundreds. One article of the bill was an item of three hundred and forty pounds for WHIP-CORD! When he mentioned this circumstance, he desired to be understood, as not intending any thing personal to the noble lord; he was persuaded, the noble lord neither connived at, nor knew of the abuse, and from that very circumstance he drew an argument in support of his bill, and in proof of the necessity of a substantial reform. The bill of the two secretaries to the treasury jointly for stationary the same year, nearly amounted to as much as the bill of the first lord; the bill of the five lords to little more than an hundred

* Lord North.

pounds each. Great abuse and waste of stationary wares was also practised in the houses of ministers, servants generally considering it as a part of their duty to contrive ingenious means for using more than their masters, and generally wasting ten times as much as they used. If then the board which possessed all the powers of controul, and which he doubted not had exercised those powers with becoming vigilance, viz. the board of treasury, were liable to such gross imposition, he had a right to suspect that in the subordinate offices, offices possessed of less power, and not so likely to exercise any check upon abuses of this nature, similar abuses prevailed to a considerable degree. He meant to propose allowing a certain fixed sum for stationary wares to each office, as the best, and indeed the only practicable means of correcting the abuse. Having amplified extremely on this and the other points of the bill, Mr. Pitt declared, he had no doubt but the plan of reform contained in the bill would save the public forty thousand a year at the least; he therefore hoped, that it would not only be the sense of the house that it should go to a committee, but that it should pass this session.

Before he sat down, he took notice of Lord North's expression in a former debate, that not a trace was to be found in the treasury, indicating a single step towards *that glorious fabric* (as the noble lord had been pleased to term it) *of reform and economy* held out in the king's speech. That speech had been often mentioned in the course of the session, and repeatedly charged with being full of vaunts and promises, never intended to be kept or fulfilled. The expression he had just alluded to of the noble lord, struck him as so very strong a one at the time, that he thought it necessary to take it down in writing, and he was determined, at the moment, to bring it to the test at some fit opportunity. As it was materially connected with the subject of the bill then under discussion, he knew of no fitter opportunity than the present. In order to bring the matter fairly within view, he declared he would read the promises of the speech on the opening of the session, paragraph by paragraph. He did so; and then urged the various measures tending towards a plan of reform

begun by the late ministry, as well those brought before parliament, as those not sufficiently matured for the inspection of the house of commons, ere the late ministry went out. He referred to Lord North and the present chancellor of the exchequer, as witnesses, whose evidence he was entitled to upon different topics in this part of his argument. He appealed to them whether there were not in the treasury, very laborious and accurate materials, drawn up at the instance of the last board of treasury, upon the mint, the royal forests, and a variety of other subjects alluded to in the king's speech, as intended to be brought forward in parliament as matters of reform? And after going through the whole, he complimented Lord North on his well-known candour on all occasions; whence he was induced to flatter himself the noble lord would do him the justice to acknowledge he had rashly made his assertion, and that, so far from there being no trace to be found in the treasury of that glorious fabric to which he had alluded, there were the foundations laid for the whole building, and that its basis was obviously intended to be most solid and substantial. Mr. Pitt said, this latter part of his subject had been touched upon in that house, and occasioned much warmth and asperity; he trusted that he had now put it fairly to issue, and stated it in so plain and precise a way, that it could hereafter become only a topic of cool and dispassionate discussion. He added other remarks, and at length wound up his argument with declaring, that it had afforded him some satisfaction to have had an opportunity of offering an explanation of the bill to the house; not doubting but that, after the bill had been explained, the house would acknowledge its importance, and immediately proceed to give it that consideration to which such a bill was undoubtedly entitled.

The motion was agreed to, and the house in a committee went through the bill.

November 27, 1783.

Mr. Fox's East India bill was this day read a second time. The petitions against it from the courts of proprietors and directors of the East India Company were then read, and their counsel were heard at the bar—Mr. Rous and Mr. Dallas for the proprietors, and Mr. Hardinge and Mr. Plomer for the court of directors. As soon as they had withdrawn, Mr. Fox, in a long and able speech, enforcing the necessity of parliamentary interference in the affairs of the company, moved, "that the bill be committed."

MR. PITT began with remarking to the house the peculiar situation in which he found himself placed by the progress and present state of this question. I have, said he, from the commencement of it, by every exertion in my power, summoned the attention of the house, and of the country in general, to the importance and dangerous consequences of the measure now proposed. I have pledged myself to the house, and to the world at large, to point out the dreadful tendency of this bill on every thing dear and sacred to Englishmen; to prove its inimical influence on the constitution and liberties of this country; and to establish, by undeniable evidence, the false and pernicious principles on which it is founded. These particulars require time and deliberation, which the violent and indecent precipitancy of this business virtually proscribes. However, it is impossible to regard the very face of the bill, without feeling the strongest repugnance at its success. I desire the House to take notice, that the ground of necessity upon which the bill was originally declared to have been introduced, is now changed: that necessity no longer rests on the simple, clear, and obvious proposition, the bankruptcy of the East India company, but is this day placed on a still weaker foundation, though a foundation infinitely more fallacious, upon the temporary distress of the company. Is that a fit plea to warrant the passing of a bill, which openly professes a daring violation of the chartered rights of the company, and proceeds to an immediate confiscation of all their property? Ought the House to be satisfied with it, even if proved beyond the possibility of question? I trust they will not; I trust the House has too much regard for their own honour and dignity,

too scrupulous an attention to justice, and too conscientious an adherence to their duty to their constituents, to support the minister in one of the boldest, most unprecedented, most desperate and alarming attempts at the exercise of tyranny, that ever disgraced the annals of this or any other country.

The right honourable gentleman,* whose eloquence and whose abilities would lend a grace to deformity, has appealed to your passions, and pressed home to your hearts the distressed situation of the unhappy natives of India: a situation which every man must deeply deplore, and anxiously wish to relieve. But ought the right honourable gentleman to proceed to the protection of the oppressed abroad, by enforcing the most unparalleled oppression at home? Is the relief to be administered in Asia, to be grounded on violence and injustice in Europe? Let the House turn their eyes to the very extraordinary manner in which the very extraordinary bill, now under consideration, has been introduced. When the right honourable gentleman opened it to the house on Tuesday se'nnight, he urged the indispensable necessity of the measure as its only justification; and, in order to carry that necessity to the conviction of the house, he gave such a statement of the company's affairs, as to convey to the ideas of almost every gentleman present that the company were bankrupts to the amount of eight millions. [Mr. Fox here shook his head.] I am ready to admit that the right honourable gentleman did not expressly say so; but I shall still contend, that the manner in which the right honourable gentleman stated their affairs, conveyed that idea. It has been entertained by most of those who heard the right honourable gentleman, it has been entertained by the public, and it has been entertained by the company.

The right honourable gentleman has himself confessed, he made several omissions in his former statement of the company's affairs. Omissions he certainly has made; omissions, gross, palpable, and prodigious. What is the consequence? The company flatly deny the right honourable gentleman's statement. They prepare an

* Mr. Fox.

account of the true state of their affairs; they produce it at the bar of the house; they establish its authenticity by the concurrent testimony of their accountant and auditor. What happens then? The right honourable gentleman declares it is incumbent on him to clear his own character, and that can only be done by refuting and falsifying the company's statement of their affairs to the enormous amount of twelve millions. Arduous and difficult as this task is, the right honourable gentleman enters upon it with a degree of spirit peculiar to the boldness of his character. He acknowledges that the company's paper must be deprived of its credit some how or other; and he proceeds in a most extraordinary manner to effect a purpose he had just told you was so necessary to himself. The right honourable gentleman ran through the account with the volubility that rendered comprehension difficult, and detection almost impossible. I attempted to follow him through his commentary; and though it was impossible upon first hearing such a variety of assertions, to investigate the truth of all of them, and completely refute their fallacy, I will undertake to shew that the right honourable gentleman has unfairly reasoned upon some of the articles, grossly misrepresented others, and wholly passed by considerations material to be adverted to, in order to ascertain what is the true state of the company's affairs.

Mr. Pitt then entered into a revision of the credit side of the company's statement, and endeavoured to overturn Mr. Fox's objections to some of the articles, and to defeat the force of his observations upon others. He justified the company's giving themselves credit for 4,200,000*l.* as the debt from government, on the ground that as they had advanced the full principal of the sum to government, they had a right to give themselves credit for the whole of it; and the more especially, as on the other side, they made themselves debtors for 2,992,440*l.* borrowed, to enable them to make the loan to government of 4,200,000*l.* The money due for the subsistence of prisoners in a former war, for the expenses of the expedition against Manilla, and for hospital expenses, he also reasoned upon, to shew that the company were not to blame for inserting them on the credit side of their account. The right

honourable gentleman, he said, had such a happy talent of rendering even the driest subject lively, that his pleasant allusion to the charge of one halfpenny for bread, in Falstaff's tavern bill,* when he came to take notice of the 1000*l.* amount of silver remaining in the treasury of the East India company, had so far caught his fancy, that it was not till a minute or two afterwards that he glanced his eye a little higher in the same page of the company's account, and saw an entry of money to the amount of 142,794*l.* Mr. Pitt dwelt upon this for some time, and went into a discussion of the observations of Mr. Fox, upon the entry 280,575*l.* for bonds, which he strenuously maintained the company had a right to give themselves credit for. He also entered into a long argument respecting the sums credited for freights paid, defending them from Mr. Fox's objections. He likewise defended the entry of 253,616*l.* as the value of the company's houses and buildings in London, declaring, that as the company understood themselves to stand charged with bankruptcy, they felt it necessary to state the value of the whole of their assets in the schedule of the particulars of their estate. He reasoned for some time on the assertions of Mr. Fox upon the prime cost of four cargoes on their passage from Bengal, and said, notwithstanding the arguments of the honourable gentleman, that when the freight and duties were paid, there would be a loss rather than a profit on the investment, he believed the reverse would be the fact; for he generally understood when an investment was made in India, the prime cost was at least doubled in the price the cargoes fetched in England. He

* The passage in Mr. Fox's speech, which is here alluded to, may not be improperly inserted.

"After enumerating," said Mr. Fox, "their millions afloat; their millions in the warehouses: they (the company) come to the calculation of their specie, and it amounts to the sum of 1000*l.*! This reminds me of an article in one of our great bard's best plays, where speaking of one of his best characters, it is said, 'so much for sack; so much for sugar; so much for burnt hock; so much for this, and so much for that; but for the solid—the substa . — the staff of life—*bread*, one halfpenny!' So it is with this flourishing company; they have millions of goods, of bonds, of debts; but of *silver* they have one solitary thousand pounds."

opposed Mr. Fox's observations on the different entries under the head of *quick stock*, at the various presidencies of Bengal, Madras, and Bombay, and at Bencoolen, and in China, contradicting many of them, and upholding the company in their statement. He declared he did not know what the right honourable gentleman alluded to, relative to the private debt incurred by the Madras presidency. With regard to the debts due from the Nabob Asoph ul Dowla, and the Nabob of Arcot, he said the honourable gentleman had taken such advantage of those facts to display his oratory, that the house was lost in a blaze of eloquence, and so dazzled with the lustre and brilliancy of the right honourable gentleman's talents, that they were deprived of the exercise of their sober reason, and rendered incompetent to weigh the propriety of the company's making any mention of debts, some of which they expressly declared would be lingering in their payment, and others they acknowledged to be precarious.

After going through the whole of the observations and objections of Mr. Fox, and contending that the right honourable gentleman had uniformly declined any sort of discrimination as to the different periods of time that the company's debts would come upon them, but had argued as if the whole were due at the present moment; Mr. Pitt said, the last matter urged against the company, viz. their capital, was, to his mind, the most extraordinary of any thing he had ever met with. He had often heard when traders were bankrupts, or when it became necessary that their affairs should be vested in the hands of trustees, that it was incumbent on them to discover the whole amount of their debts to others; but he never before knew, that it was either incumbent on them to state, or necessary for the creditors to know, how much they owed themselves. Having put this very strongly, Mr. Pitt denied that there was any deficiency whatever in their capital, contending on the other hand, that the company, though distressed, were by no means insolvent, and that they ought to be allowed an opportunity of proving the whole of the statement of their affairs at the bar of the house. The right honourable secretary had accused the temerity of the company in bringing before that house the accounts of the company in

a state exceedingly fallacious. He had asked, "what indignation and censure was due to the individual who dared to have thus trifled with truth, with decency, and with the dignity of the house?" What then shall be said of a minister, who ventures to rise up in his place, and impose on the house a statement every way absurd and erroneous?

On these, and many other accounts, Mr. Pitt was clearly for deferring the debate. This position he argued very elaborately; and said, as it was perfectly reasonable to allow the house time to enquire into and examine the truth of the papers then on the table, the falsehood of which ought not to be taken for granted upon the bare assertions of the secretary of state, so introduced and made as they had been, he should hope there could be no objection to adjourning the debate for a single day, and should therefore reserve his sentiments upon the principle of the bill for the present, and move "that the debate be adjourned till to-morrow (Friday) morning."

Mr. Pitt's motion of adjournment was negatived,

Ayes..... ..120

Noes.....229

The original question was then carried.*

* On the 18th of December at twelve o'clock at night a special messenger delivered to the two secretaries of state a message from his Majesty, intimating that he had no further occasion for their services, and desiring them to render up the seals of their offices;—at the same time mentioning, that it was the royal pleasure that they should be delivered to him by the under secretaries, as a personal interview would be disagreeable. Early the next morning letters of dismission signed, "Temple," were sent to the other members of the cabinet. Earl Temple, who was appointed secretary of state, resigned two days after—and the following arrangement was at length completed:

Right Hon. William Pitt.....	First Lord of the Treasury, and Chancellor of the Exchequer.
Marquis of Carmarthen.....	Secretary of State for the Foreign Department.
Lord Sidney.....	Secretary of State for the Home Department.

January 12, 1784.

Mr. PITT and the other re-elected members having taken the usual oaths and their seats, Mr. Fox and Mr. Pitt rose at the same time, and the friends of both gentlemen were very loud in procuring for each the preference of being heard.—The Speaker decided, that Mr. Fox was in possession of the house, as he had been up, and was interrupted by the swearing in of the re-elected members. Mr. Pitt spoke to order, and declared that he knew not that Mr. Fox was in possession of the house; but he thought it requisite for him to say, that the reason for his rising was to present to the house a message from his Majesty, conceiving, as he did, that the house would be disposed to hear that in preference to other matter.

The Speaker then, from the chair, announcing that Mr. Fox, having begun his speech, was clearly in possession of the house, and was entitled to go on, Mr. Fox said, that nobody would believe that he was inclined to prevent the right honourable Chancellor of the Exchequer from presenting a message from his Majesty; but having risen to move for the order of the day, and the right honourable gentleman having it in his power to present the message

Earl Gower (succeeded by Lord Camden)	President of the Council.
Duke of Rutland (succeeded by Earl Gower)	Lord Privy Seal.
Earl Howe.....	First Lord of the Admiralty.
Lord Thurlow.....	Lord Chancellor.
The above composed the Cabinet.	
Duke of Richmond.....	Master-General of the Ordnance.
Lloyd Kenyon, Esq. (afterwards Lord Kenyon)	Attorney-General.
Richard Pepper Arden, Esq. (afterwards Lord Alvanley)	Solicitor-General.
Right Hon. Wm. Wyndham Grenville, (afterwards Lord Grenville)	Joint Paymasters of the Forces.
Lord Mulgrave.....	
Henry Dundas, Esq..... (afterwards Lord Melville.)	Treasurer of the Navy.
Sir George Yonge, Bart.....	Secretary at War.
George Rose, Esq.....	Secretaries of the Treasury.
Thomas Steele, Esq.....	
Duke of Rutland.....	Lord Lieutenant of Ireland.
Thomas Orde, Esq.....	Secretary to do.

after the business of the day as well as before, and knowing at the same time, from the nature of the message, that there would be no injury in waiting, he wished that the house should go into the committee on the state of the nation, where a motion of the most immediate consequence to the house would be made, and which, in his mind, ought to precede all other business. He therefore begged leave to move the order of the day.

Mr. PITT now rose:

He was by no means anxious, he said, to prevent the house from going into the committee on the state of the nation, or to keep the right honourable gentleman from the possession of the house, to the gaining of which such art and such accommodation had been used. He could not be at all surprised that those men, who before the recess had been so clamourous and so petulant, and who had gone such strange lengths, at a time when those persons, who unquestionably ought to be present at the discussion of all important questions, were necessarily absent, should now have proceeded in the same way, and taken the advantage of absence to bring on a measure, by which he, as the minister of the crown, should be prevented from delivering a message from his Majesty. It was not his desire to prevent gentlemen from saying any thing that they might imagine would support that clamour which they had endeavoured so insidiously to raise in the country, any thing that would support that petulance which they had shewn before the recess, that unjustifiable violence and those unprecedented steps which they had taken, for the purpose of inflaming the country, and exciting jealousies, for which there was no real foundation. He was happy to see the house met again, that now the ministers of the crown might be able to face the assertions, the insinuations, that were thrown out; for nothing in the shape of a charge had been brought forward, nothing had even been attempted to be proved: now they would have it in their power to meet the enquiries and the propositions that might be agitated in the committee on the state of the nation; and he assured the house, that he should not shrink from any question, charge, or insinuation, which the gentlemen on the other side might chuse to bring against him.

At the same time, however, that he cheerfully expressed his readiness to go into the committee on the state of the nation, he thought it right that this committee should be delayed for some short time, and he trusted the reasons which he should give would be satisfactory to the house. It had pleased his Majesty to command his services, at a time, when, however he might feel himself unqualified for the high station of the minister, he could not think himself justified in conscience to decline. The circumstances of the country were peculiar and distressing. The East-India bill, brought in by the right honourable gentleman, a bill so violent in its form as to give just reason for alarm to every thinking man, had been, by what powerful management it was not for him to say, hurried through that house. That bill established a species of influence unknown to the constitution of this country; and he was one of a most respectable minority, who thought, that if it had passed into a law, the independence of that house, the equilibrium between the three estates of the realm, and the beautiful frame of our government were at an end. That bill passed this house; but at the same time it was the idea of all men, even of those who objected to that bill as unfit to be passed, that some bill was essentially necessary; and he had pledged himself if it was withdrawn or thrown out, to propose one less violent in its principles, and, as he thought, more adequate to its purposes. Would any man object to his moving for leave to bring in that bill? Would not all sides of the house acknowledge, that the first object to be embraced was the India business? It was for this question that the house was impatient. They had thought proper to present an address to the throne, testifying their extreme anxiety to go upon this important pursuit, which they stated to be so urgent as to make them dread any interruption whatever. Was it possible then that they should think of interrupting the business? Was it possible that they should think of preventing the introduction of a new bill, which was the only way of coming fairly to the business? Whatever serious enquiry into the state of the nation might be meditated afterwards, he should think it his duty most attentively and cheer-

fully to accompany. In the mean time he begged the house to consider, that this was the first day when the new ministers had met them in parliament. That ministry was formed, was called by his Majesty into office, chiefly on the ground of the India bill. Their first duty was to frame a system for the government of India. They had not opposed the last bill by cavilling; they had not objected to it from envy to the parents of it. They had opposed it, because they thought that its objects might be accomplished in a safer way. This was the point on which they were at issue. They had now to prove that they had not lightly disturbed the government of the country; that they had not set up a captious opposition, an opposition to men merely; but that they opposed a most violent measure; and having overthrown it, they thought it their first duty to substitute a more moderate, a more constitutional scheme in its place.

He spoke again of the clamour which had been excited, and said he was ready to meet it all. He had objected to the last bill, because it created a new and enormous influence, by vesting in certain nominees of the ministers, all the patronage of the East. He stated all his great objections to Mr. Fox's bill, and said, that he was now called upon by his duty, to bring in a new bill; and if the house, by agreeing with him to postpone the order of the day, would allow him to move for leave to bring in his bill, he would state all the outlines of his system, as shortly and precisely as he could. He trusted that he should not be prevented, because the right honourable gentleman had forestalled the house, by rising at a time when those persons were absent, whose duty it was to conduct official business; and he hoped the house in general would agree with him in voting against the order of the day.

Before the debate closed, Mr. PITT again rose, and replied to a variety of matters that had been urged against him, as well on the ground of secret influence, as on the principles on which he had come into administration.

He declared he came up no back stairs; that when he was sent for by his sovereign to know whether he would accept of

office, he necessarily went to the royal closet; that he knew of no secret influence, and that his own integrity would be his guardian against that danger: but the house might rest assured whenever he discovered any, he would not stay a moment longer in office. I will neither have the meanness, said Mr. Pitt, to act upon the advice of others, nor the hypocrisy to pretend, when the measures of an administration in which I have a share are deserving of censure, that they were measures not of my advising. If any former ministers take these charges to themselves, to them be the sting. Little did I think to be ever charged in this house with being the tool and abettor of secret influence. The novelty of the imputation only renders it the more contemptible. This is the only answer I shall ever deign to make on the subject, and I wish the house to bear it in their mind, and judge of my future conduct by my present declaration: the integrity of my own heart, and the probity of all my public, as well as my private principles, shall always be my sources of action. I will never condescend to be the instrument of any secret advisers whatever, nor in any one instance, while I have the honour to act as minister of the crown in this house, will I be responsible for measures not my own, or at least in which my heart and judgment do not cordially acquiesce.

With regard to the questions put to him as to the dissolution, it did not become him to comment on the words of a most gracious answer of the sovereign delivered from the throne; neither would he presume to compromise the royal prerogative, or bargain it away in the house of commons. When his honourable friend,* in whose hands he considered his honour to be as safe as his own, before the recess, in his name, and by his authority pledged himself to the house, that he, (Mr. Pitt) would not advise a dissolution, such at that time had been his real sentiment; he could not at present say more, but he hoped nevertheless the house would now consent to receive and go into the consideration of his India bill.

* Mr. Dundas.

The motion for the order of the day was carried,

Ayes.....232

Noes.....193

and the house went into the committee on the state of the nation; when several strong resolutions were passed, condemning as unconstitutional both the appointment, and the continuance in office, of his Majesty's ministers, who possessed not the confidence either of that house, or of the people.

The purport of the message from the King, which Mr. Pitt had to present, and which was afterwards read from the chair, was, "to inform the house, that on account of the river Weser being frozen up, and its navigation rendered impassable, two regiments of Hessian troops had been obliged to be disembarked and distributed in barracks at Dover, Canterbury, Chatham, and Portsmouth: and that his Majesty had given especial directions that, as soon as the navigation of the Weser was open, the two regiments in question should be again embarked, and immediately sent home to Germany."

January 14, 1784.

Mr. PITT, in pursuance of the notice he had given, this day moved for leave to bring in a bill for the better regulation of the government in India.

HE rose, he said, in performance of his engagement to the public and to the house, and to discharge that duty which was indispensable to him in the situation which he held. He was neither deterred by the circumstances of the time, nor the appearance of the agitation of that assembly, from rising to move for the introduction of a new bill for settling the government of India, because he knew it to be the most immediate concern of the country, and that which before all other things called for the consideration of parliament. He was aware that, in the present circumstances of the time, any proposition that came from him was not likely to be treated with much lenity; and indeed, from what he had heard, he might be permitted to apprehend, not likely to be treated by certain persons with impartiality or justice; for they had already excited a clamour against what they conceived to be his ideas, and had already condemned, without knowing, his system. They had taken up certain resolutions passed by the proprietors of East-India stock, and had said, that

a system founded upon them must necessarily be defective, must necessarily be charged with more influence, accompanied with less energy, than the bill which had been rejected. He knew the triumph which he should afford to a certain description of men, when he informed the house, that the plan which he proposed to submit to parliament was chiefly founded on the resolutions of the proprietors of India-stock, and that his ideas in all the great points coincided with theirs. He anticipated in his mind the clamour which would take place on this discovery, and the vociferous acclamations of those gentlemen ranged behind the right honourable member,* whose signals they were always disposed to obey, and whose mandates they were always ready to execute. He perfectly understood the nature of their conduct: he knew well how capable they would be of deciding on the subject, from the notices they would receive, and how eagerly they would embrace the opinion which the right honourable gentleman would give them; but he was not to be intimidated from undertaking what he conceived to be for the interest of his country; and to the crime which was alleged against him, he pleaded guilty. He confessed himself to be so miserably weak and irresolute, as not to venture to introduce a bill into that house on the foundations of violence and entrenchment. He acknowledged himself to be so weak as to pay respect to the chartered rights of men, and that, in proposing a new system of government and regulation, he did not disdain to consult with those, who, having the greatest stake in the matter to be new-modelled, were likely to be the best capable of *giving* him advice. He acknowledged the enormous transgression of acting with their consent, rather than by violence; and that, in the bill which he proposed to move for, he had governed himself by the ideas of the proprietors of East-India stock, and by the sense and wisdom of those men who were most habituated to the consideration of the subject, as well as the most interested in it.

He gave to his opponents, with perfect cheerfulness, all the advantage which this view of the subject could confer. His plan

* Mr. Fox.

was really founded on the resolutions which the house had seen in the public newspapers, and he acted in concurrence with the sentiments of the general proprietary. He had not dared to digest a bill without consultation, which was to violate chartered rights sanctified by parliamentary acts; he had not ventured to conceive that any plan, which should erect in this country a system unknown to the constitution, would be ever embraced by any house of commons; or that a scheme of new and uncontrollable influence, in the hands of new and unconstitutional characters, would be suffered to have an establishment, since such a scheme must give the death-blow to our frame of government. He had taken notice of the objections started by the right honourable gentleman, before he had heard his plan, and accepted by his followers with the same haste and the same decency; he had heard him allege, that his plan was calculated to give as much or more influence to the crown than the bill which had been rejected; and that it was not calculated to produce the salutary consequences to this country, or to India, which his bill would have certainly done. These were the imputations which had been brought against it before it was known, and the house were now to enquire into the truth of the assertion. He wished to be tried by comparison. He challenged the trial by that test; and he trusted to the candour of the house, even circumstanced as it now was; he trusted to their fairness and impartiality, that if they found the provisions of his bill as effectual, with less violence,—affording as vigorous a system of control with less possibility of influence,—securing the possessions of the east to the public, without confiscating the property of the company,—and beneficially changing the nature of this defective government without entrenching on the chartered rights of men, they would give him a manly, liberal, and successful support, without enquiring what party of men, or what side of the house, was to be maintained on the occasion. He trusted they would not approve his plan the less for being without violence, for being destitute of the rapidity, the grasping principle, the enormous influence, the inordinate ambition, the unconstitutional tendencies of the bill

which had been rejected. He trusted also they would find, that he had not objected to the bill of the right honourable gentleman from motives of capricious, or of personal opposition, or that he was now to seduce them into the approbation of a measure more speciously coloured, but in truth stolen from that to which he had denied his assent.

He was not much affected with the clamour, that his was to be a *half-measure—a palliative*—although he had so loudly deprecated half-measures and palliatives on the first day of the session. *Half-measure* was the watch-word of the day. He should not be affected with this charge, if by that was meant, that every measure, which did not proceed to the violation of charters, and the confiscation of property, was a half-measure. If he could only avoid the imputation of erecting a system of power new and unknown in the country, to the extinction of the company, and the danger of the constitution, he would not be displeased to hear his plan receive the appellation of a half-measure. But he trusted, that in the exposition of the principles of his plan and of the provisions, they would find reasons to go with him in thinking, that without materially entrenching on the company, and without deviating from the practice of the constitution, a scheme of government might be framed, less overbearing, and equally efficacious. Whatever might be its reception, however, he should have the heart-felt pleasure of knowing that he had discharged his duty conscientiously; and he professed, that he was infinitely more eager to see a fair, solid, and effectual system established, than that he should be the person to propose it, as he was really more anxious for the welfare of his country than for the aggrandizement of himself.

The general objects to be looked to, and provided for, in the formation of a system for India, were chiefly these:

The concerns of this country in India, in the various considerations to which they branched; the civil and military government; the revenues; the commerce; the vast territorial possessions, which, though they had been long acquired, had never yet been finally settled: there were claims to be ascertained, and in-

terests to be divided. The happiness of the natives was to be studied; the connection between the commerce and the territorial government was to be maintained; and, last of all, they were to consider what were likely to be the effects of the government of India on the government of Great-Britain; how it might affect our constitution in point of influence, and how it might be rendered at once vigorous and unalarming.

These were the objects to be considered, and surely the house would go with him in saying, they were most important. The possessions in India were great and ample; they could not be maintained but with broad and extensive establishments; they contained an immense number of the human race, for whose happiness it behoved us, by every call of humanity and policy, to provide; and there was the utmost necessity of framing a system, which should at once preserve the connection and the distinction between the territories and the commerce. This was particularly difficult, and indeed the whole business was of so complicated a kind, that it required all the wisdom, all the experience, and all the consideration of parliament.

Any plan which he or any man could suggest for the government of territories so extensive and so remote must be inadequate; nature and fate had ordained in unalterable decrees, that governments to be maintained at such a distance must be inadequate to their end. In the philosophy of politics such a government must be declared irrational; it must be declared at the best to be inconvenient to the mother and supreme power, oppressive and inadequate to the necessities of the governed. In such a scene there could be formed, there could be imagined no theoretical perfection—it must be a choice of inconveniences; and therefore he trusted that, in the examination of the ideas which he should throw out, the house would take into their view the difficulties, and always remember, that whatever was suggested, however specious, however promising it might be, must be tried by the event rather than by speculation. The general ideas which he had thrown out, and the objects which he had described to be in view, would serve the house as land-marks to

guide them in the consideration, and they would examine how how far his propositions were calculated to answer the object.

In the first place then, the political concerns of this country in India, that is, the civil and military government of India—the political establishments—the political system—the collection of the revenues—and, to give it one short and general definition, the imperial dominion of our territories in the East, ought to be placed under other control than that of the company of merchants in Leadenhall-street: but the change ought to be made with as little violence as possible; it ought to be made by the conviction of the company, and not by violence. In this the proprietary agreed with him. The first business then, was to take care, that this should be made an effectual control, and it was his clear idea, that this control could not with safety or propriety be placed in any other hands than those of the genuine and legitimate executive power of the constitution.

His next principle was, that the commerce of the company should be left, as much as possible, to their own superintendance. This was an idea which must strike every thinking man; for commerce ought always to be left to the merchant, unshackled, unembarrassed by interferences which might impede its current, and diminish its security. In this, however, there was a consideration to be attended to. The commerce of the East India company was of a mixed nature. It was involved with revenue, and it would be requisite that a provision should be made for distinguishing between what was merely commercial and what was mixed, that under the colour of commercial acts or commercial regulation the politics of India should not be affected.

His next principle was to prevent capricious effects on the constitution of Britain from the government of India. In providing for this principle, very great delicacy was to be used in the nature, quality and extent of the powers to be given to the governments in India. The servants in India must obey the controlling power at home; but still, in regard to the distance from the controlling power, care must be taken to arm them with such discretionary authority, as should leave energy and vigour for all the purposes of

good and substantial government, sufficient to secure the happiness of the natives, as well as to protect the commerce and the possessions, but at the same time, so limited as to restrain inordinate ambition—to crush oppressive rapacity—to extinguish the jobbing of adventure—and to establish true and equitable dominion.

He understood well that it was more easy to exhibit principles than adopt provisions; and he only exhibited these principles to serve as land-marks to the House in the examination of his provisions, for he should succeed or fail in his plan in so far as he reached or came short of these ideas.

The first point, then, in the plan, was to ascertain the degree of control which should be established over the company, and the hands in which that control should be placed. The degree of control should amount to the government of the civil and military concerns, and of the revenue, and this was a species of control not new; for we had already seen a control over the company established in the hands of government. But the former interference of ministers had not been beneficial, because it had not been active or vigilant. On this account was it, that the right honourable gentleman in his bill, had placed it in new hands? Was it on this account that he had vested the control in the hands of a set of men, whose character was a monster and a novelty in the constitution? What security had parliament that this new and unheard-of board would have been more active and vigilant than a constitutional and executive one? Surely none but the character, the integrity, the intelligence, and the alacrity of the individuals who composed it. If men could be found by the executive government of the country equally endowed, he asked if the security to the public was not the same?

But he must again take notice here of the imputation, which, he imagined, would be thrown on his plan for its moderation in this respect. It would be called a *half measure*, because it left with the company many of their rights, their property, their patronage, their respect: but he saw no aspersion in the term of a half-measure, if his plan was to be so termed in opposition to the totallity of that scheme which grasped at every thing which they

enjoyed. This grasped at no more than what was essential to the object, and he with confidence trusted to the impartiality of the house of commons, that they would approve of a measure calculated to effect all the purposes required, by means less violent than those of the late plan; and he had this confidence, notwithstanding the impression of the times, which he confessed to be new and extraordinary. His plan aimed at beneficial control. He meant not to rob nor to steal the rights of the company.

He knew that the merits of his plan must be comparative; and that the house would give the preference to that, which, in the comparison, was proved to be the best in the two great points of sufficiency and vigilance of control. The public required security. What was the security which they had in the projected board of commissioners? Was it the greatness of their character, or the circumstance of their being appointed by the house on the nomination of the minister? If this was all, might not others be found as great in character, and found constitutionally by the executive power? And would it be a less recommendation of such men that they were not a new and independent institution, unknown to the constitution and uncontrollable by the crown? The persons, that had the control, should be persons capable of giving time and attention to the objects of the trust—they should have leisure for activity and exertion, that it should be no longer subject to the imputation of a sleepy and ineffectual control, but deserve the character of an active and efficacious one. But this could not be done, perhaps, without the creation of new officers; for, in the present state of administration, the ministers through whom the crown should speak, that is, the two secretaries of state, were so occupied as not be able to give the business all the time and attention which would be necessary. To provide for this, there should be joined to the minister other assistance to expedite the affairs, that they might not be delayed or neglected, at the same time that the crown's control was signified through a minister.

His proposal therefore was, "That a board should be instituted to be appointed by his Majesty, consisting of one of the

principal secretaries of state, the chancellor of the exchequer for the time being, and a certain number of the privy council." The number of the board would be left blank for the consideration of the house. The privy counsellors were not to be as in the constitution of the privy council itself, to attend precariously; but such as his Majesty appointed were to give regular attendance at this board, and devote their time and study to its objects. But it might be asked, were there to be salaries given to the members of this new board, and was it to be productive of additional burthens to the people? He knew that in the last bill, though there was no salary mentioned, it was the general rumour, if not the general intention, that they should have a remuneration. It was his idea, however, that in the present establishment, any expense might be avoided. There were in this country a number of persons, who, from their rank, were members of the privy council, and who at the same time were possessed of great and distinguished offices, with large emoluments and little labour. There was no doubt but a number of such persons might be found to accept of this important duty without any additional reward. It was what they owed to the country, from which they derived splendid incomes for no service; and he was sure that if it fell to his lot—which was a question to be decided—he would think it his indispensable duty, and would give up his time and attention most cordially to the object.

A board thus constituted, it might be imagined, would have the qualities of activity and vigour. It would be derived constitutionally from the executive power. It would create no new office of emolument. It would load the subject with no new burthen. It would be as efficacious as the board of seven commissioners. That board undoubtedly was composed of men of great integrity and fair honour; but he might be allowed to add, some of them not possessing much knowledge of, or interest in, the subject of their control. But this new board would be at least equally intelligent and as efficacious. It would be as good, only with this difference, that the rights of no company would be violated —only with this difference, that they would not be uncontrolled

or uncontrollable;—only with this difference, that they would not possess the whole of the patronage, to the great danger of British liberty. The dispatches of the company must be submitted to this board, and be made subject to their control, their opinion to be given in a reasonable and competent time, and the dispatches countersigned by the board, by which a complete responsibility was vested in them. This was no ambiguous system —it was clear, public, and administrative.

In the next place, though he had no wish to interfere with, much less to control, the commerce of the company, yet as the commercial acts might be connected with the political, because they might have an aspect leaning both to the one and to the other, he also proposed, "That all the commercial dispatches of the company should also be submitted to the board, whose control should be signified in a reasonable and competent time; but the court of directors, if they agreed not with the opinion of the board on the decision of the question, whether it had a political or merely a commercial tendency, might appeal to the king in his council, whose decision should be final." This he hoped would not be considered as a security nominal and frivolous, when it was remembered that this was to be a public appeal and public trial. He was sincere in his ideas on the subject of the security; and being so, he regarded neither the sneers nor the smiles of gentlemen: this appeal he considered as a guard to the company, and chiefly because it was liable to be discussed in both houses of parliament.

This board possessed not the patronage of the company. They had the power of a negative, indeed, but they could not alter the names that were sent them by the company; they could not make use of this power in the way of patronage, for it was his idea that this should be a board of political control, and not as the former was, a board of political influence. He stated what the constitution of that board was, and what the constitution of this was to be. That board was to seize on the rights, patronage, commerce, and property of the company. This left to the company the uncontrolled possession of their commerce,

their treasury, their patronage, their contracts, the appointment of their writers and cadets; by which, in the course of things, all the officers and servants in India were in their immediate appointment.

He then came to state what was to be the nature of the government abroad: "Their authority should have the powers of large discretion, accompanied with the restraint of responsibility." They should be bound to obey the orders of the board at home, but at the same time they should have a sufficient quantity of power for all the purposes of emergency, and all the occasions which the immense distance might give rise to. He went into a long detail to shew how much the influence created by the last bill exceeded the influence of this. Here the government abroad could at best but select from among the appointments of the company—they could not make original appointments of their own. In addition to this, there was in the crown, and consequently in the two houses by an address to the crown, the power of recal.

It was to be enquired by whom the members of the councils abroad were to be appointed. The company had cheerfully yielded this point also to the crown. He however had his doubts on this subject, and therefore in his bill the matter should be left for the wisdom of the house to decide; but "the appointment of the commander in chief he thought should be clearly in the crown," for the duties which he had to fulfil were so essentially connected with the great operations of the state, that there could be no doubt on his appointment.

The next consideration was the number of the councils abroad. His idea was, "that their number should be four, the governor-general to have the casting vote.' But this also he would leave to the house. The number of the council at Bengal he did not mean to reduce; for in this he followed the example of the right honourable gentleman, in not making the system a personal question.

The late bill thought fit to vest all the power in the government here, and none or little in the government abroad. His idea was otherwise. He thought there should be a power in

the government abroad, large and broad, but guarded with responsibility.

He proposed that there should be "a revision of all the establishments in India, to see where retrenchments might be made with safety—to see what were necessary, what were useful, and what, on account of their inutility, inconvenience, corruption, or abuse, ought to be extinguished." This he recommended, for he believed that many of the abuses in India arose from the establishments being overloaded.

Another reform struck him as essential, and which indeed was only an enforcement of an old rule. This was, "that all appointments in India should take place by gradation and succession." Influence would by this means be very much diminished; and indeed, without entering much into the nature and amount of the power, he imagined the government might be framed to possess all that was necessary to its purposes, without having so much as to create influence. He would speak only therefore of the great lines of power, without entering into the little detail.

His last proposition, he said, was, "That there should be erected a new tribunal for the trial of offences in India." He explained the necessity of such an institution, and said, it would be for the wisdom of the house to determine its nature and authority. His idea was, that it should consist of a number of the principal persons in Westminster-hall in the first place; that civilians should also be joined; and also a number of peers, and a number of the members of the house of commons. A tribunal thus constituted might, in his idea, embrace the great object. The culprit might have the power of challenging; and, before this tribunal, evidence might be admitted which the courts of law could not receive. They should be directed to question, to arraign; they should determine the nature of offences; and in offences he would reckon the disobedience of orders, the acceptance of presents, oppressions of the natives, monopolies, rapacity, and all the train of offences which had tainted the national character in India. They should enquire into the personal fortunes of the delinquents; they should have the power of confiscation, and

every thing but capital power. In regard to the Zemindars, though he admired the spirit of the right honourable gentleman's intention towards them, yet he could not imitate it on account of its impracticability. General indiscriminate restitution was as bad as indiscriminate confiscation. He proposed therefore, "That an enquiry should be instituted into the confiscations, for the purpose of restoring such as had been irregularly and unjustly seized; and that they should be secured against violence in future."

He had taken notice of many more points, he said, than were included in his motion; but he had thrown them out for the consideration of the house, as a subsequent bill must be brought in for regulations, or, what he believed would be effectual, the bill of the right honourable gentleman now in the house might be modified to his purpose. He again gave a comparison between his bill and that which had been thrown out: and he declared, that the establishment of a moderate and effectual system of government for India, was the great and immediate object of his mind. He did not wish to gratify young ambition by the place to which he was called; he was not attached to his eminence. I am not, said Mr. Pitt, governed at this moment by motives of personal interest, or of personal fame. I have introduced this plan as the deliberate conviction of my mind, made up on the most serious consideration of the most intelligent men. Accept the ideas if they are worth your notice; strengthen them with your wisdom; mature them with your experience; or, in their room, establish a more adequate system, and I am happy.

However unpleasant to me a majority of this house, and insinuations against me, must be, I shall incur the danger of them all on this great point—establish a good, rational, and safe system, and dispose of me as you will. I have the consciousness of a good intention, and therefore, without having the serious fear, that personal considerations will be imputed to me, I conclude with moving, "That leave be given to bring in a bill for the better regulation of our Indian concerns."

The motion was seconded by Mr. Dundas, and, after some discussion, agreed to; and the bill was ordered to be read a first time on the Friday following.

January 23, 1784.

On a motion for the second reading of Mr. Pitt's East India Bill, and after Mr. Fox, Mr. Erskine, and other members had expressed their objections to the measure,

Mr. PITT rose, and spoke to the following effect:

Notwithstanding the vast variety of auxiliary matter with which the right honourable gentleman * over the way has thought proper, according to his ordinary manner, to aid and to embellish his speech; notwithstanding also his learned friend,† in a speech equally diffuse, has followed his right honourable leader through a most faithful repetition of the same arguments; yet I cannot help thinking that I meet the question fairly, when I say that all the objections made to the present East India bill, reduce themselves to these two:

In the first place it is said to want vigour and effect;

In the second place to want permanency.

Now, Sir, with regard to the first of these objections, that it is a plan of patronage, and not a plan of vigour, effect, and of power; that it gives to the crown a new and enormous extent of influence, while it furnishes no new means of control; to this I must reply: Is it possible that gentlemen who argue thus can have read the bill? Sir, I defy any man to contradict me when I say, that while there is every possible guard against patronage, the crown's vigorous, effectual, and authoritative command over the politics of Indostan, is clearly the main object of every line of the bill. It was the acknowledged fault of the regulating act of 1773, that it left only a dormant power among his Majesty's ministers to negative and regulate political orders sent out to India. This power, I allow, was not usefully, nay, not at all, exercised; responsibility lay not then with the crown; but, Sir, does it follow, when an express board is appointed, and devoted to the object of East India politics, charged with the whole responsibility, furnished

* Mr. Fox. † Mr. Erskine.

with every means of information, as well as every power that can possibly be necessary to the dominion of the East—does it follow, I say, Sir, that by means of such a board, there will be no active, no efficient control? How does the right honourable gentleman torture the imagination, and strive to mislead the common sense of the house, in order to persuade them into this absurdity: He introduces a most curious dialogue between the government board and the directors; the directors appoint a servant, whom (according to his train of argument) the board object to, and say, "No, you shall not appoint this man your servant, for if you do, we will punish you, by insisting on such and such a measure." "Whom shall we appoint then?" say the directors. "Why we choose you should appoint such an one," says the board, "and then you shall order what political measures you please." The right honourable gentleman, therefore, in order to prove that the new board will have the patronage, while the directors will keep the control, argues exactly thus: The board, he says, will barter their control for patronage; ergo, the board will have all the patronage, and none of the control. But, Sir, will the directors agree to such a bargain? Will they give up all their right of naming their own servants, for the pleasure of dictating political measures? Is it possible to conceive such a perversion of common sense? I say, therefore, away with such arguments as these. If any honourable gentleman can fairly devise the means whereby the patronage of the crown can be still farther restrained, and its authority in India at the same time supported, I am not only willing, but I am extremely eager to listen to any such propositions; but the committee, I conceive, will be the place for observations of this sort. What I contend, and insist at present, is only this, that to give the crown the power of guiding the politics of India, with as little means of corrupt influence as possible, is the true plan for India, and is the true spirit of this bill.

Next, Sir, with respect to the permanency of this system. And here I am forced to confess, that I, for my part, can never expect any duration, any consistency, any degree of permanency in the government either of India or any other of our dependencies,

without a strong and permanent government is established in this distracted country. The right honourable gentleman has boasted that his system is able to maintain itself unshaken amidst all the changes of administration here: perhaps I may deny to the right honourable gentleman's plan even this quality: and here I beg the house to recollect an argument which the learned gentleman pressed most forcibly the other day; for when it was justly objected to that bill, that the seven commissioners would support the right honourable gentleman's party whether in or out of power, "Oh (said the learned gentleman) we all know that any new minister would be able, by carrying an address through either house of parliament, to displace any of these commissioners, and they must depend, therefore, on the good graces of those who have the majority of parliament," that is to say, on the minister for the time being; and, in short, Sir, it was the common answer to this very serious objection on our part, that the India commissioners would naturally and necessarily have a good understanding with the minister for the time being. Why, Sir, if they will turn round with every new minister, how is the system said to be thus permanent amidst all the changes of administration? and yet I, forsooth, am the man accused of aiming at inconsistent advantages! Sir, I do wish the persons who shall rule India to maintain always a good understanding with administration. The right honourable gentleman compares the duty of the board appointed by this bill, to the duty of a new secretary of state, and laments that such a new office should be created: I accept of his comparison, and I say that the power of government over India ought to be in the nature of that of a secretary of state. The seven commissioners were secretaries of state set over all India, but independent of, and unconnected with the government of this country; and is not this a new and unheard-of power, in this or in any constitution?

Earl Fitzwilliam, Sir, by that bill, had power to involve this country in war with France or with Holland, not only without the direction, but without the privity of the government of this country. Sir, he and his board were to manage all the politics of Indostan, implicated as they are with the politics of European pow-

ers, without the least knowledge of the politics subsisting in the king's cabinet, without the least co-operation, without the least kind of official communication with any one of his Majesty's servants. What an *imperium in imperio* was this! The East India company is said to be already an *imperium in imperio*; but, Sir, they at least hold some communication, they render up some information, they act in some concert with the government of this country; for the very ground on which government's right of interference has been built is this: That inasmuch as European politics were become involved in the politics of India, it was necessary that one executive power should have the superintendence over the whole empire. When the right honourable gentleman therefore calls his system permanent, because his commissioners were thus separated and insulated from the crown, I should lament such permanency, if it were possible; but I deny the possibility: for all our dependencies cannot continue to exist, unless in our Asiatic and European politics there be some unity of action. His permanency therefore was only this: it was a permanency of men, not a permanency of men and measures. The present bill, indeed, gives to no set of men a permanent, indefeasible power; but it establishes a permanency of system; it gives to the crown of these realms the sway over its Indian, much in the same manner as over its other dependencies, and insures to it a permanent, regular, systematic, and supreme control over all the political affairs of that vast country.

I must say a few words, Mr. Speaker, with regard to the influence which this bill adds to the crown: for the right honourable gentleman has insisted, with no little acrimony, that the whole drift and spirit of this bill is to give an unbounded patronage to the crown; that I am become the champion of influence, and no wonder I am so earnest in this bill. The learned gentleman has even asserted, with a perfect air of confidence, that this bill takes more patronage from the company, than the former bill itself: the former indisputably took the whole; the present as indisputably takes but a part: the learned gentleman has therefore asserted that a part is greater than the whole—an assertion, which I am sure, to his mind it were in vain to attempt disproving, and pre-

sumptuous in me to contradict. But, Sir, let me state it fairly and candidly, and see what is the influence gained to government. It has been repeatedly said that a great deal of patronage has been all along derived to government from the company: what is the case by this bill? In the first place, all influence in England is left to the company; an influence infinitely more dangerous to this constitution, and more liable to abuse, than that which is exercised abroad. The nomination of all the numberless clerks, labourers, and servants here, is left entirely to the company; all contracts (than which nothing can be more adapted to the purposes of corruption) are left to the company; the preference of what ships, captains, shopkeepers, buyers and sellers, they please, is, in my opinion, most properly left to the option of the company; the nomination of all writers remains also to the company, as well as the nomination of the far greater part of the servants abroad. The crown, in short, appoints none but the supreme servants abroad, whose authority must be transcendant, and who must, for the sake of unity, be cordial with government. These superior servants, it is true, have a great command of influence in India; that influence, however, is materially broken, by being exercised only through their instrumentality; and it must be further remembered, that these very servants will have been named in the first instance by the company, and are chosen to these high offices only after a regular and necessary gradation. If less influence than this will suffice, let it be still further reduced in the committee; I hope, however, it is indisputably clear that influence is not the object of this bill. I avow, indeed, that whatever is given, should, in my opinion, go fairly to the crown, and not be delegated to any set of men, who may pervert it to their own purposes.

One word more, Sir, with respect to the bill of the right honourable gentleman over the way;—he affects to tell you, with all the simplicity in the world, that his bill created no new power, gave no new influence, erected no new estate in the constitution of this country; for that it was a mere transfer of power from one body of men to another. Sir, I have already proved it was

not a mere transfer of power; for the former directors were in some degree at least connected, and in some measure co-operated with government: the new commissioners were not to be connected, were not to co-operate with government. But, Sir, this is not all. It was a transfer of power from a body of men, unconnected with each other, numerous, and fluctuating, by whom the boundless patronage of India was divided into a thousand little wandering streams; it was a transfer from that large unconnected body, into the hands of a small junto, politically connected, established in a manner independent of the crown, by whom India was to be converted into one vast political engine, an engine that might be brought to bear against the independence of this house. Is the right honourable gentleman so dim-sighted, so unsuspecting, on a subject thus deeply affecting the freedom of parliament, and this whole constitution, as not to perceive the political bearing which must be given to this vast machine? Let the characters of his seven commissioners be what they may, even in that view, I say they are one political band: the collected patronage of all India at home and abroad, was to be knit together in their hands, to be levelled, as the party chose, either against the prerogatives of the crown, or against the independence of parliament. Compared to these things, the very loss of India, Sir, nay, the loss of every dependency of this country, were light and trifling; the loss of India were a sacrifice easy to be borne; but the loss of liberty to this country, the sacrifice of the independence of parliament, and the ruin of this constitution—this is a calamity, this is a kind of ruin, to which I will never yield without a struggle.

The total overthrow of the chartered rights of the East India company, was another most important objection, Sir, from which the present bill is indisputably free, since, in spite of all the cavil of the right honourable gentleman, it does come forward fortified and recommended by the consent of the company.

These are the grounds on which I maintain this bill. I offer it not to the house as a perfect plan. Let the right honourable gentleman himself propose any amendments in the committee. If its

principle be right, if it be practicable, as a plan of reform for India, and above all, if it be safe as to the constitution of this country, the house, I trust, will so far recognise it, as to suffer it to pass into a committee.

The House divided on the second reading,

Ayes.....214
Noes.....222

The bill was then rejected.

After the division, Mr. PITT was urgently pressed to give the House some satisfactory explanation respecting the probability of a dissolution of parliament; and, on his remaining silent to all their entreaties, a loud and general call was repeated from every side of the House. At length, upon some harsh expressions from General Conway, who charged the minister with standing against the voice of the representatives of the people by means of bribery, and by other dark and intricate arts, which, if the imputation was false, he was bound for the sake of his own honour, to explain and refute,

Mr. PITT called the right honourable general to order, and desired him to specify the instances where the agents of ministers had gone about the country practising bribery. It was an assertion which he believed the right honourable general could not bring to proof, and which, as he could not prove, he ought not to assert. He begged the right honourable general to suffer him to be the judge of his own honour. He had not been long accustomed to the violence of that house, or to its harsh language; but he had been long enough accustomed to it, to assure the house, that neither unsupported slander, nor intemperate invective should discompose his mind. He would not condescend to answer interrogatories, which he did not think gentlemen entitled to put to him. He said, he should not give any answer whatever to their questions, and he concluded in a tone of high and elevated sentiment, and with a classical text, expressive of its being inconsistent with dignity to attend to either their rash slanders, or their modest questions.

Here the conversation was terminated by an adjournment.

January 29, 1784.

THE order of the day for resuming the committee on the state of the Nation was, on the motion of Mr. Fox, adjourned till Monday. In reply to Mr. Fox's observations, which severely inveighed against ministers for retaining their situations in direct opposition to the sense of the House.

Mr. PITT declared he did not rise to oppose the motion of the right honourable gentleman, but was called up in very express terms to state his objections to the mode of arraignment thus constantly adopted by those on the opposite side of the house.—Against all that very high language thus personally addressed to him, he would only oppose his simple assertion, as he should affect no more argument on one side than was used on the other. Indeed he doubted not the House would think with him, that such a torrent of criminating assertions could not by any facts whatever be established. He was conscious to himself no part of his public life or official conduct stood in the least need of any apology.

The delicacy of his present situation required discretion. He was determined to sustain it with as much firmness and decency as he could. This resolution was the result of deliberation: and no invective or aspersion which the right honourable gentleman could throw out should divert him from that sort of behaviour he had already pursued; he could only act as his own judgment directed him. This direction, he trusted, would not lead him into any very palpable mistake; and while he retained confidence of this kind, it was in vain to expect he would be the dupe of any other.

The right honourable gentleman, in saying they did not possess the requisites of a legal administration, was wrong, as they certainly had every formality which belonged to them as the servants of the public. These epithets, so well calculated to throw an odium on them, were therefore improperly applied; for whatever the right honourable gentleman might think of a majority, he would not allow that, in every case, a majority was to prescribe what in such and such circumstances it was proper for ministry to

do. He did not believe there was a power in the house of commons for the control of the prerogative. He rather thought every branch of the legislature was instituted to secure the legal and constitutional exercise of the other. He hoped, therefore, that it would never be contended, that the sovereign, in creating peers, or chusing his ministers, must first ask leave of the house.

The right honourable gentleman had said too, that there was now no government in the country: an allegation to which he would give an open and avowed negative. What! Were ministers of no use but to attend their duty in parliament? Was there no official business to transact of a public and national description without the walls of the house of commons? And whether these measures or schemes which depended on the assistance and concurrence of parliament, were or were not suspended, undoubtedly other matters, however inferior they might be thought, came under their inspection and control.

He wished, however, the right honourable gentleman would speak out. If his majesty's ministers were as criminal as he would insinuate, there were only two ways of rendering them amenable to their country—by criminating their conduct, or turning them out of place or power. Why does not the right honourable gentleman come boldly forward, and do one or other of these? The charge of disturbing the tranquillity of the country, or impeding public business, he considered as invidious and groundless. This he might retort, but he would not adopt the language of recrimination.

The throne was still as accessible as ever, and would still listen to the voice of reason and necessity. But it was as futile as it was improper to be coming down from time to time to the House, sounding the minds of gentlemen, and exciting them to opposition against a ministry whom they had it so much in their power to remove. It would be more manly as well as candid, to come at once to some specific charge, and decide the fate of a ministry thus obnoxious and uncomplying.

As for his own part, he regarded all threatenings of that sort with great indifference. The right honourable gentleman had un-

doubtedly exerted his utmost to paint his conduct in the worst light; but still he was willing to stand forth in his own vindication. Nothing could be imputed to him for which he had any reason to be ashamed. His heart, his principles, his hands were pure: and while he enjoyed the conscious satisfaction of his own mind, no language of the right honourable gentleman, no clamour, no artifice of party, no unfounded imputations, should affect him. He had already stated his conduct fairly and explicitly to the House. He hoped it was not necessary to repeat his former declarations. By these reasons he wished to abide, and he trusted the House would not dissent from him in presuming that the motives which he assigned for whatever might seem peculiar in his situation, were not frivolous, but satisfactory.

February 20, 1784.

Mr. Powys, after adverting to certain resolutions passed by the House for the removal of his Majesty's ministers, which, however, his Majesty had not thought proper to comply with, moved, "That this House, impressed with the most dutiful sense of his Majesty's paternal regard for the welfare of his people, relies on his Majesty's royal wisdom, that he will take such measures as may tend to give effect to the wishes of his faithful Commons, which have already been most humbly represented to his Majesty." To which was afterwards added, on the suggestion of Mr. Eden, "by removing any obstacle to forming such an administration as the House has declared to be requisite in the the present critical and arduous situation of affairs."

Mr. PITT rose the moment Mr. Fox sat down, and spoke in substance as follows:

The right honourable gentleman,* Sir, has gone through so vast an expanse of matter, he has embarked the House in so wide an ocean of politics, that it is impossible for me to follow him through the whole course of his speech. I beg leave, however, while both the House and myself are fresh in the recollection of it, to press upon them again what the right honourable gentleman

* Mr. Fox.

himself, at the close of his speech, has this day at last been driven to confess, though I had long laboured, and, as I began to fear, had laboured in vain, to convince him of it; namely, that if the right honourable gentleman and the noble lord in the blue ribbon should regain their situation, should expel all his Majesty's present ministers, and resume their old measures, their restoration would not ensure the restoration of peace, of happiness, and of content to this distracted country. The right honourable gentleman now confesses it; and yet, Sir, he ought also to confess, and to know and feel, that his present measures do most directly tend to the re-establishment of that coalition, to the certain exclusion of his Majesty's present ministers, and to that very calamity which he himself now begins to dread, and with the dread of which, I had so strenuously endeavoured to inspire the House. Procrastination is now become his plan. I wish not to be understood as calling out for violent measures; but this I will say, that merely to temporise is no man's duty at the present moment. If, therefore, every violence is intended against this administration, let us not keep the country in suspense, but let us advance like men to the issue of this contest: the present question is weak and feeble, compared with those which have gone before it; and I dare say, therefore, every gentleman must expect that it will be without effect.

The right honourable gentleman, Sir, has appeared to-night in a character perfectly new to him, but which he has supported (as, indeed, he supports every one of his characters) with wonderful dexterity; he is to-night the champion of the majority of this house against the voice of the people. *Imposture* was the word used by his learned friend; the right honourable gentleman improves upon the idea, and tells you that imposture was a word used merely by way of civility; it is by way of complimenting the people of England, that the right honourable gentleman says their opinions are founded in imposture; and then, by way of libelling these adresses, and of libelling this reign, he recals to your mind the addresses offered in the infamous reign of king Charles the Second, affecting to furnish the house with a case somewhat in point, and

warning them not to trust at all to the most unanimous addresses of the people of England, by summarily mentioning those which were offered to that monarch, requesting the crown to take into its hands and protection the several charters of this country. Sir, I beg these allusions may not pass off unexplained: the case was this—After many cruel and scandalous decisions in the courts against chartered companies, in a fit of desperation, the several corporations offered their charters to the crown, as the only protection against this tyranny; and shall I hear this cited by way of libelling addresses of the people at this time? I believe in truth, Sir, the right honourable gentleman is surprised and exasperated at the manly spirit of the people in these times, who will not wait till their charters are prostituted to the purposes of ministers, and then seek relief by yielding them to the crown; but who boldly resist the violation in the first instance, and who are as hardy in their resistance, as the right honourable gentleman has been in his attack.

But, says the right honourable gentleman, how should the people understand the India bill? Do they know all the abuses in India? True, Sir, the people may not have read all your voluminous reports, neither, perhaps, have one half of the members of this house read them: but, Sir, they know that no abuses in India—that the very loss of India—that the annihilation of India, could not compensate for the ruin of this constitution. The plain sense of this country could see that objection to the India bill, which I could never persuade the right honourable gentleman to advert to: they could see, that it raised up a new power in this constitution, that it stripped at once the crown of its prerogative, and the people of their chartered rights, and that it created that right honourable gentleman to be the dictator of his king and his country.

But, Sir, the right honourable gentleman ventures still to deny that the addresses have sufficiently marked what is the opinion of the people; and then he talks of battles at Reading, of battles at Hackney, and battles at Westminster. At Reading, Sir, I understand, there was no battle; the county addressed unanimously

against the opinion and in the face of its members, although the honourable member * assures you how he exerted his oratory to deprecate the address. As for Hackney, I behold over against me a most valiant chieftain † who is just returned from that field of Mars, whose brow, indeed, is not, as before, adorned with the smile of victory, but from whose mouth I doubt not we shall hear a faithful, although, alas! Sir, a most lamentable history of that unfortunate flight and defeat. Whether at Westminster it is sufficient proof of victory to say, "The people would not even hear me:" whether that right honourable gentleman, who once could charm the multitude into dumb admiration of his eloquence, and into silent gratitude for his exertions in the cause of freedom, and of his country; whether he, the champion of the people, once emphatically named the "man of the people," is now content with the execrations of those multitudes, who once, perhaps, too much adored him; whether, in short, Sir, the sonorous voice of my noble friend was a host itself, or whether it might not have become a host by being joined to the voices of the host around him; all these are points I will not decide: but sure I am, that the right honourable gentleman will not persuade me that the voice of the people is with him, if Westminster is his only example. There is one thing the right honourable gentleman proves merely by strong affirmations, to which, therefore, I can only oppose affirmations as strong on my part: he says his late majorities have been composed of men the most independent in their principles, respectable in their situations, and honourable for their connections; I can only affirm as roundly in answer, that the minority is by no means inferior to them, in point either of principles, of respectability, or of independence. Having thus disposed of the people, and of the minority in the house of commons, large as it certainly is, the right honourable gentleman proceeds next to dispose of the majority in the house of lords, and he denies that they were respectable. Sir, if the right honourable gentleman will trouble himself with this kind of calculaton, I am not afraid to match the

* Major Hartley. † Mr. Byng.

majority there against the minority, either on the score of independence, of property, of long hereditary honours, of knowledge of the law and the constitution, or on the score of any thing that can give respect and dignity to peerage. And, Mr. Speaker, when I look near me, [looking at Mr. Pratt] when I see near whom I am now standing, I am not afraid to place in the front of that battle, (for at that battle the noble peer whom I allude to was not afraid to buckle on his old armour, and march forth, as if inspired with his youthful vigour, to the charge) I say, Sir, I am not afraid to place foremost at the head and in the very front of that battle, that noble and illustrious peer, (Lord Camden) venerable as he is for his years, venerable for his abilities, adored and venerated through this country on account of his attachment to this glorious constitution, high in rank and honour, and possessing, as he does, in these tumultuous times, an equanimity and dignity of mind that render him infinitely superior to that wretched party spirit, with which the world may fancy us to be infected.—

But, Sir, I am carried away too far; my warm admiration of the subject has hurried me into expressions, perhaps, not perfectly becoming the strictness of this debate. The point which I should particularly speak to, and the great subject of contention between us, is, whether I shall resign, in order afterwards to return into office; and the example of the noble lord in the blue ribbon is held out for my imitation: for he, it is said, is willing to sacrifice his personal pretensions for the sake of unanimity. Good God! Mr. Speaker, can any thing that I have said, subject me to be branded with the imputation of preferring my personal situation, to the public happiness? Sir, I have declared again and again only prove to me that there is any reasonable hope, shew me but the most distant prospect, that my resignation will at all contribute to restore peace and happiness to the country, and I will instantly resign. But, Sir, I declare at the same time, I will not be induced to resign as a preliminary to negociation. I will not abandon this situation, in order to throw myself upon the mercy of that right honourable gentleman. He calls me now a mere nominal minister, the mere puppet of secret influence. Sir, it is because

I will not become a mere nominal minister of his creation—it is because I disdain to become the puppet of that right honourable gentleman, that I will not resign: neither shall his contemptuous expressions provoke me to resignation: my own honour and reputation I never will resign. That I am now standing on the rotten ground of secret influence, I will not allow; nor yet will I quit this ground, in order to put myself, as the right honourable gentleman calls it, under his protection, in order to accept of my nomination at his hands, and in order to become a poor self-condemned, helpless, unprofitable minister in his train—a minister, perhaps some way serviceable to that right honourable gentleman, but totally unserviceable to my king and to my country. If I have, indeed, submitted to become the puppet and minion of the crown, why should that right honourable gentleman condescend to receive me into his band? It seems, however, that I have too much of the personal confidence of my sovereign, and that I must resign, in order to return into administration, having only an equal share of it with others. But the right honourable gentleman knows that my appointment would, in that case, be only as a "piece of parchment." Admit that I have more than my share of the king's confidence, yet how is my being out of office two days to make any diminution of that confidence? The right honourable gentleman, therefore, every moment, contradicts his own principles, and he knows that if I were first to resign, in the forlorn hope of returning as an efficient minister into administration, I should become the mere sport and ridicule of my opponents; nay, and forfeit also the good opinion of those, by whose independent support I am now honoured: for when I shall have sacrificed my reputation for that support which I am told shall arise to me from that right honourable gentleman's protection, when I shall have bartered my honour for his great connections, what shall I become but the slave of his connections? The sport and tool of a party? for a while, perhaps, the minister appointed by that party, but no longer useful to my country, or myself independent.

The right honourable gentleman tells you, Sir, that he means

not to stop the supplies again to night, but that he shall only postpone them occasionally. He has stopped them once, because the king did not listen to the voice of his commons, he now ceases to stop them though the same cause does not cease to exist. Now, Sir, what is all this, but a mere useless bravado? a bravado calculated to alarm the country, but totally ineffectual for the object for which it was intended. I grant, indeed, with him, that if all the money destined to pay the public creditors is voted, one great part of the mischief is avoided. But, Sir, let not this house think it a small thing to stop the money for all public services; let us not think that, while such prodigious sums of money flow into the public coffers, without being suffered to flow out again, the circulation of wealth in the country will not be stopped, nor the public credit affected. It has been said indeed, "how is it possible that parliament should trust public money in the hands of those, in whom they have expressly declared they cannot confide?" Is there any thing then in my character so flagitious; am I, the chief minister of the treasury, so suspected of alienating the public money to my own, or to any sinister purposes, that I am not to be trusted with the ordinary issues? [a cry of "No! No!"] Why, then, Sir, if they renounce the imputation, let them renounce the argument.

By what I am now going to say, perhaps I may subject myself to the invidious imputation of being the minister and friend of prerogative; but, Sir, notwithstanding those terms of obloquy with which I am assailed, I will not shrink from avowing myself the friend of the king's just prerogative. Prerogative, Sir, has been justly called a part of the rights of the people, and sure I am it is a part of their rights, which the people were never more disposed to defend, of which they never were more jealous than at this hour. Grant only this, that this House has a negative in the appointment of ministers, and you transplant the executive power into this house. Sir, I shall call upon gentlemen to speak out; let them not come to resolution after resolution, without stating the grounds on which they act; for there is nothing more dangerous

among mixed powers, than that one branch of the legislature should attack another by means of hints and auxiliary arguments, urged only in debate, without daring to avow the direct grounds on which they go; and without stating in plain terms on the face of their resolutions, what are their motives, and what are their principles which lead them to come to such resolutions. Above all, Sir, let this House beware of suffering any individual to involve his own cause, and to interweave his own interests in the resolutions of the house of commons. The dignity of the House is for ever appealed to: let us beware that it is not the dignity of any set of men: let us beware that personal prejudices have no share in deciding these great constitutional questions. The right honourable gentleman is possessed of those enchanting arts whereby he can give grace to deformity; he holds before your eyes a beautiful and delusive image; he pushes it forward to your observation; but as sure as you embrace it, the pleasing vision will vanish, and this fair phantom of liberty will be succeeded by anarchy, confusion, and ruin to the constitution. For in truth, Sir, if the constitutional independence of the crown is thus reduced to the very verge of annihilation, where is the boasted equipoise of the constitution? Where is that balance among the three branches of the legislature which our ancestors have measured out to each with so much precision? Where is the independence—nay, where is even the safety of any one prerogative of the crown, or even of the crown itself, if its prerogative of naming ministers is to be usurped by this House, or if, (which is precisely the same thing) its nomination of them is to be negatived by us without stating any one ground of distrust in the men, and without suffering ourselves to have any experience of their measures? Dreadful therefore, as the conflict is, my conscience, my duty, my fixed regard for the constitution of our ancestors, maintain me still in this arduous situation. It is not any proud contempt, or defiance of the constitutional resolutions of this House; it is no personal point of honour; much less is it any lust of power that makes me still cling to office; the situation of the

times requires of me, and I will add, the country calls aloud to me that I should defend this castle; and I am determined, therefore, I WILL defend it.

The question was carried,

Ayes.....197
Noes.....177

An Address to the King in the words of the resolution was then moved by Mr. Fox, and, after a second division, was carried, and ordered to be presented to the Throne by the whole House.

March 1, 1784.

THE order of the day being read for taking into consideration his Majesty's answer* to the Address of the House for the removal of ministers, Mr. Fox, after expressing his dissatisfaction at the language that had been used from the Throne, concluded with moving,

"That an humble Address be presented to his Majesty, most humbly to represent to his Majesty the satisfaction his faithful Commons derive from the late most gracious assurances they have received, that his Majesty concurs with them in opinion, that it concerns the honour of his crown and the welfare of his people, that the public affairs should be conducted by a firm, efficient, extended, united administration, entitled to the confidence of his people, and such as may have a tendency to put an end to the unhappy divisions and distractions of this country. To acknowledge his Majesty's paternal goodness, in his late most gracious endeavours to give effect to the object of

* His Majesty, in his answer, after assuring the House of his earnest desire to put an end to the divisions and distractions of the country, proceeds thus:—

"I shall be always desirous of taking every step most conducive to such an object; but I cannot see that it would in any degree be advanced by the dismission of those at present in my service.

"I observe, at the same time, that there is no charge or complaint suggested against my present ministers, nor is any one or more of them specifically objected to; and numbers of my subjects have expressed to me in the warmest manner their satisfaction at the late changes I have made in my councils. Under these circumstances, I trust my faithful Commons will not wish that the essential offices of executive government shall be vacated, until I see a prospect that such a plan of union as I have called for, and the pointed out, may be carried into effect."

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our late dutiful representation to his Majesty. To lament that the failure of these his Majesty's most gracious endeavours should be considered as a final bar to the accomplishment of so salutary and desirable a purpose; and to express our concern and disappointment, that his Majesty has not been advised to take any further step towards uniting in the public service those whose joint efforts have recently appeared to his Majesty most capable of producing so happy an effect. That this House, with all humility, claims it as its right, and on every proper occasion feels it to be their bounden duty, to advise his Majesty touching the exercise of any branch of his royal prerogative. That we submit it to his Majesty's royal consideration, that the continuance of an administration, which does not possess the confidence of the representatives of the people, must be injurious to the public service. That this House can have no interest distinct and separate from that of their constituents, and that they therefore feel themselves called upon to repeat those loyal and dutiful assurances they have already expressed of their reliance on his Majesty's paternal regard for the welfare of his people, that his Majesty would graciously enable them to execute those important trusts which the constitution has vested in them, with honour to themselves and advantage to the public, by the confirmation of a new administration, appointed under circumstances which may tend to conciliate the minds of his faithful Commons, and give energy and stability to his Majesty's councils. That as his Majesty's faithful Commons, upon the maturest deliberations, cannot but consider the continuance of the present ministers as an unwarrantable obstacle to his Majesty's most gracious purpose, to comply with their wishes in the formation of such an administration as his Majesty, in concurrence with the unanimous resolutions of this House, seems to think requisite in the present exigencies of the country, they feel themselves bound to remain firm in the wish expressed to his Majesty in their late humble address, and do therefore find themselves obliged again to beseech his Majesty, that he would be graciously pleased to lay the foundation of a strong and stable government, by the previous removal of his present ministers."

Mr. PITT declared that he wished to avoid, as much as possible, all those repetitions of argument which had become so frequent, and had mingled themselves of late so much in the progress of debate. He wished to confine himself to what he considered the point in question, and to deliver his sentiments on this subject with as much conciseness as lay in his power, that those who speak might not be deprived of an opportunity of giving their opinions, and that those who hear might not be tired by a fatiguing and disagreeable reiteration of beaten themes

and of hacknied arguments. It had been insinuated by an honourable member,* and some others, that he was averse to union. He could by no means admit this assertion—Had he not on many occasions given the strongest evidence of his predilection for the principle? Had he not expressed these attachments repeatedly in the course of his speaking on the subject? It was his wish to erect a strong government. It was his desire to contribute all in his power to the formation and support of so desirable a system. He was therefore ready to express his sentiments of reprobation against those who opposed union, as he considered this measure as necessarily connected with the interests and the happiness of the public. But whilst he emitted these strong and decided sentiments in favour of union, he by no means thought that this desirable object would be brought nearer by the address under consideration, nor could at all be forwarded by the resignation of ministers. On this point he had already given his sentiments. Those sentiments he had seen no reason to alter.

He was equally struck at another assertion of the honourable general—It had been affirmed that the words of one side of the house aimed at the annihilation of its privileges. Good God! how could such ideas be formed or entertained? Had he in any part of his conduct, or of his past procedure, manifested any peculiar predilection in favour of monarchy, or of the undue influence of the crown? Had he, during the progress of his parliamentary conduct, wished to encroach on, or to destroy, the privileges of parliament? The constitution and the rights of the house of commons he had always been taught to venerate. He would therefore appeal to the candour of the house, to its recollection of his expressions on this subject, whether he had not, on all occasions, and under every description of circumstances, maintained its privileges and its dignity? His opinions, his partialities, and his views, favoured those ideas: and he must have been deluded to have acted in opposition to them

* General Conway.

But whilst he expressed his warmest sentiments for the honour and the dignity of the house of commons, he felt himself under an obligation at the same time, to vindicate the doctrines of the honourable baronet* behind him, so far as they respected the rights of the other branches of the legislature, so far as they regarded the just and constitutional prerogatives of the sovereign. These the constitution had defined with as much accuracy as it had done those of the house of commons; and it was surely the duty of ministers, and of members of that house, equally to support the rights of both. No man was more zealous, or more unreserved, in admitting and asserting the right of the house to advise the sovereign in the exercise of all his prerogatives than he was. This had always been a sentiment which he had avowed; but that a declaration on the part of the house of their disapprobation of his Majesty's ministers, should, *ipso facto*, in any given instance, bind and compel the sovereign to dismiss those ministers, or oblige them to resign, was a point which he never had admitted, and would never allow. Such a sentiment of disapprobation surely placed ministers in aukward and unpleasant situations; but that it should force them to retire, he would maintain, was an unconstitutional doctrine, hostile to the prerogative of the crown, and to that balance of power, on which the excellency of our government depended. This was a point therefore, which he was always ready to maintain, and from supporting which he hoped he would never be precluded by any false theories, or vague declamation, respecting the dignity of the house.

He alluded to the idea of a faction existing in the house, stated by his honourable friend,† and which he had asserted to be dangerous to the balance of the constitution. How far this was true, how far the conduct of the house of commons during its late procedure justified this doctrine, and how far the address under consideration confirmed its truth, ought to be weighed, and ought to produce corresponding effects on the minds and

* Sir William Dolben. † Mr. Wilberforce.

votes of the members of the house. In deliberating, however, on this point, he would caution gentlemen not to be overawed by false alarms of an encroaching prerogative, by false fears of an extended monarchy, or to be decided by the ring and sound of dignity, so incessantly poured into the ear of the house on the present and past occasion. But though he was thus the opponent of all capricious decision on the appointment of ministers, he was as unfriendly to their continuance in office when disapproved of by the house of commons on proper grounds, as by either branch of the legislature. On this account he called on the house to specify charges against administration, to prove those charges, and not capriciously to condemn an administration which had never as yet been found guilty, and had in fact, by an unaccountable obstinacy and untowardness of circumstances, been deprived of an opportunity of displaying its prudence and its zeal in the service of the public. When these accusations were proved, when these charges were substantiated, it would then be proper for ministers to resign; and if in such a case he should afterwards continue in office, he would suffer himself to be stigmatized as the champion of prerogative, and the unconstitutional supporter of the usurpations of the crown. But till this period arrived, he should reckon it his duty to adhere to the principles of the constitution, as delivered to us by our ancestors; to defend them against innovation and encroachment, and to maintain them with firmness.

Attempts have been made, said Mr. Pitt, to fix imputations of criminality on the present administration. Their sins have been stated: and one of the most glaring of them is, that the late ministry were dismissed against the sense of the house. But what is the meaning of this charge? To what conclusion does the argument, when followed up, lead? Does it not fairly admit of this comment, that it is improper for his Majesty to dismiss his ministers, provided they are approved of by the house of commons; and that so long as they act agreeably to its sentiment, so long, and no longer are they to enjoy the patronage of the crown, and retain the offices of administration? Is this a

decent treatment of the prerogative? Is this constitutional doctrine? Is it not degrading the dignity of the sovereign? Is it not a tranference of the prerogatives of the crown to the house of commons, and a placing the royal sceptre under the mace that lies upon the table? The constitution of this country is its glory. But in what a nice adjustment does its excellence consist! Equally free from the distractions of democracy, and the tyranny of monarchy, its happiness is to be found in its mixture of parts. It was this mixed government which the prudence of our ancestors devised, and which it will be our wisdom inviolably to support. They experienced all the vicissitudes and distractions of a republic. They felt all the vassalage and despotism of a simple monarchy. They abandoned both, and by blending each together, extracted a system which has been the envy and admiration of the world. It is this scheme of government which constitutes the pride of Englishmen, and which they can never relinquish but with their lives. This system, however, it is the intention of the present address to defeat and destroy. It is the intention of this address to arrogate a power which does not belong to the house of commons—to place a negative on the exercise of the prerogative, and to destroy the balance of power in the government as it was settled at the revolution.

It has been remarked by an honourable member,* that no period of our history affords an example of ministers existing after an address, disapproving of them, from the house of commons. But to obviate this observation, it may be proper to ask, whether the history of this country affords any instance in which a ministry have been called on to retire from office without a cause? This is a remark which merits attention, and to which it may not be improper to direct the notice of the honourable gentleman at the present moment. On what grounds of plausibility, under what pretexts then are the supplies for the service of the public to be refused? Is it on account of the arbitrary decision of the house? Have they no confidence in the conduct of administration? I will even venture to ask the honourable

* Mr. Fox.

gentleman whether he believes that these supplies, if granted, would be misapplied?

Mr. Pitt declared, the sentiments of the public were flattering to ministry, and the addresses which had been presented to the throne were unequivocally in favour of that administration of which the house had disapproved. He expressed his disapprobation of the explicitness of the present address; he hoped gentlemen would now speak out, and that they would bring their charges against ministers. He flattered himself that the honourable gentleman's manliness and candour would lead him to this, and that he would not any longer tear in pieces the character of ministers by distant but dark invective, or unsupported allegation. He cautioned the house against entertaining an idea that the present motion was calculated to promote union—it seemed rather intended to divide and drive parties at greater distance from each other. He insisted that an union, if established at all, must exist and be formed on honourable principles—without this, all coalition was a farce, and could never be permanent. Union formed on different motives could never be of long continuance—they carried in them their very principles of division, "They hold the word of promise to the ear, and break it to the sense." He concluded with apologizing to the house for delaying them so long: thus much, however, he thought it necessary to say in support of the balance of the constitution, the prerogatives of the king, and the privileges of parliament.

The question for the address was carried,

Ayes..... 201
Noes..... 189*

* On the 24th of March the Parliament was prorogued, and the following day dissolved by proclamation.

The new parliament met on the 18th May, when Mr. Pitt took his seat as member for the University of Cambridge.

June 8, 1784.

THE order of the day being read for the further consideration of the Westminster election, Mr. Welbore Ellis submitted to the House the following resolution: "That, Thomas Corbett, esq. bailiff of the city of Westminster, having received a precept from the sheriff of Middlesex for electing two citizens to serve in parliament for the said city, and having taken and finally closed the poll on the 17th day of May last, being the day next before the day of the return of the said writ, he be now directed forthwith to make return of his precept, and of members chosen in pursuance thereof."

After Mr. Fox had delivered his sentiments at great length upon the question, Mr. PITT spoke to the following effect:

SIR,—If the right honourable gentleman's* reason for being so desirous of securing to himself the last hearing in this debate, has been in order that his mad and violent assertions might pass without opportunity of being contradicted, I must acknowledge, indeed, the prudence and policy of his conduct in endeavouring to prevent a reply; but I must rejoice, however, when charges are brought against administration, as gross as they are unfounded, that I have the opportunity of rising to refute the charge, to contradict the assertions, to defy that right honourable gentleman to proof, and to assert with equal hardiness, and, I trust, with more than equal truth, that, in no respect, has administration exercised any undue influence—in no respect have they been so profligate as to furnish those means which have been hinted at—in no instances have they suborned witnesses to swear away mens' lives—in no respect whatever have they been accessary to those violences, murders, perjuries, and that black catalogue of offences, which the right honourable gentleman calls up, by way of auxiliary matter, to embellish his speech, and to assist the house in the decision of that grave, dry, constitutional question, which is all that we have this night to determine. Sir, if the right honourable gentleman has his charge to bring forward, the courts of this country are open to him: I hope, and trust, administration is not so strong as to

be able to resist any just accusation that he can bring against them. I hope, on the other hand, administration is not so weak as to give way and yield to vehement assertions, utterly unsupported, and evidently malicious: I hope opposition is not so strong; I hope there is no faction in this country so strong, so bold, so mad with desperation and disappointment, as to throw out great and criminal charges against administration, without having either the intention, or the means, or the shadow of any means, to support the accusations which they venture so roundly to make.

I am not surprised, indeed, if the right honourable gentleman should attempt to represent himself as the marked object of ministerial persecution. With respect, Sir, to the cruel hardship he has just complained of, namely, that he has not been allowed to have the last word in the debate, I would only beg leave to remind both him and the house, that so far from having, from his present situation, an indisputable right to the last word, it is contrary I believe, to a standing order of your house, that he is allowed to speak at all, or even to be present in the house; for one of your standing orders says, "That if any thing shall "come in question touching the return or election of any mem- "ber, he is to withdraw during the time the matter is in debate." Such, then, is the cruel persecution carrying on against the right honourable gentleman, that, instead of being forced to be silent, and to withdraw, he is allowed to speak often ten times a day on the same question; sometimes, Sir, for three hours at a time, filling his speech with every thing that is personal, inflammatory, and invidious. I say, nevertheless, I am not surprized, if he should pretend to be the butt of ministerial persecution,—and if, by striving to excite the public compassion, he should seek to re-instate himself in that popularity which he once enjoyed, but which he so unhappily has forfeited. For it is the best and most ordinary resource of these political apostates, to court, and to offer themselves to persecution for the sake of the popular predilection and pity which usually fall upon persecuted men; it becomes worth their while to suffer, for a time, political mar-

tyrdom, for the sake of the canonization that awaits the suffering martyr; and I make no doubt, the right honourable gentleman has so much penetration, and, at the same time, so much passive virtue about him, that he would be glad not only to seem a poor, injured, persecuted man, but that he would gladly seek an opportunity of even really suffering a little persecution, if it be possible to find such opportunity.

Upon the same ground, Sir, it would unquestionably be my interest, and no less, I am sure, my wish, to abstain from every thing that has even the appearance, much more that is in reality any thing like persecution; but yet, when great constitutional questions are involved, it then becomes a minister to forego every other consideration; and so far, perhaps, to gratify his adversary, as to furnish him with the pretence of being the object of ministerial persecution, stedfastly determining, at all hazards, and contrary, perhaps, to his own convenience, to maintain the true spirit of the constitution.

I wish to meet the right honourable gentleman on the two grounds which he has laid down, and to decide upon the issue of them---first, the propriety and expediency of granting a scrutiny; and, secondly, the legality of it under all the circumstances of the case. And here, Sir, let me first touch a little on the hardship which the right honourable gentleman is said to labour under. Now I do insist, that if his single object is, (as he says it is) to bring the dispute to the decision of Mr. Grenville's committee, a scrutiny will not delay that decision one moment; nay; it will even forward it: for, suppose the return, according to the motion before the house, to be made immediately, still the petition before Mr. Grenville's committee could not be gone through this year; it must therefore begin again, *de novo*, the next, and the latter end of next session would arrive before the question could be decided. On the other hand, let a scrutiny be now instituted, preparatory to the petition, it will be finished, in all human probability, before the beginning of the next session; and the petitioner, whoever he may be, will come prepared, having his business cut short by this means, so that the

petition must be finally decided in the early part of the next session; or perhaps the consequence of a scrutiny may be, that there shall come no petition at all.

But the right honourable gentleman wishes even that there might be a new writ, and a new election, rather than a scrutiny; now, let us see how this would expedite the business? Why, Sir, if a new writ were issued while the parliament is sitting, as this would be, all sides are agreed, that the bailiff would have a perfect right to prosecute a scrutiny whenever the poll is over; it being universally allowed, that scrutinies are lawful in the case of elections during the sitting of parliament. If you grant, therefore, the right honourable gentleman this curious wish of his, the consequence will simply be, that after another forty days poll, forty days riot, and forty days confusion, he will find himself just where he is at this moment, except, indeed, that he will then be constrained to own (from the precedent of Vandeput and Trentham, which will become precisely in point) that the high bailiff, if he pleases, will then have an undoubted right to go on with the scrutiny.

Now, to say the truth, the arguments of the right honourable gentleman, if they prove any thing, must necessarily prove what I have just stated; namely, that there must be a new writ: for he tells you, that, after the 18th of May, the bailiff became *functus officio*; that all the virtue of his writ expired, and that the high bailiff, after that day, was no longer, in this respect, high bailiff, but was turned into a private person, and had no more right to institute a scrutiny than any one of us: and yet, Sir, by the resolution before you, this bailiff is ordered to do an act which no bailiff, *functus officio*, can possibly do; namely, to return the writ. The hand you order to sign the writ is a dead man's hand. Why surely, Sir, if the bailiff, ever since the 18th of May, has been like one of ourselves, you may as well order one of us to make the return as order the high bailiff to do it. So far, therefore, as the hardship of the case is considered, it is clear, that, to let the scrutiny proceed is a mitigation of trouble and expense; since a new writ is the consequence of the honour-

able gentleman's argument, and a new writ, as I said before, would, forty days hence, exactly bring us to that point where we are now arrived.

I must beg the house, then, to consider coolly and distinctly what the motion before you tends to: it does not, indeed, command the high bailiff to return Lord Hood and Mr. Fox, as the honourable gentleman first intended, and as his petition prayed; that is now found out to be too monstrous, for that would be no less than to make this house the electors of its own members, usurping at once the office of returning officer, and the right of electing the representatives of the people. That ground, I say, Sir, is shifted; and to what does the resolution now go? It orders the high bailiff to return two members; it orders this deceased returning officer to come back again to life, in order to make a return of the writ; this officer, I say, Sir, whose existence irrevocably ceased on the 18th of May; for, on the single argument of his perfect nonentity since that day, rests the whole of that conclusion which is so contended for, that he is not in the capacity to prosecute the scrutiny. Now, Sir, the resolution also orders the high bailiff to return those two candidates, who have, in his judgment, the majority of legal votes; though the bailiff told you yesterday, he could form no judgment who had the legal majority, and though he explained, by substantial evidence, for what reasons it was impossible to form such judgment. Sir, I will not weary the house with entering into all the detail of evidence; but I ask any man of honour, of candour, and of plain sense, whether the high bailiff of Westminster had not sufficient reason to wish for a scrutiny, in order to satisfy his own judgment and conscience, provided a scrutiny could be legally prosecuted, under all the circumstances of the case? The legality of it is what I shall certainly have to prove---His evidence, in three words, was this; that there have polled at this election above 4000 more men than there are legal votes in Westminster, upon any calculation that can be formed; that there have sometimes been 1800 suffered to poll in a day, under the idea that the votes were to be revised at a scrutiny; that he has received

information of many hundred bad votes for Mr. Fox in two particular parishes; that he has had intelligence sufficient, certainly, to warrant a suspicion that bad practices had been used for the purpose of procuring a number of illegal votes; and that he was terrified, by violent threats, into an admission of many votes extremely doubtful, which, however, he set down at the moment, with the determination to enquire into them afterwards: upon these grounds, let any man deny, if he can, the expediency and propriety of a scrutiny, provided it be lawful. We are told, indeed, of Mr. Grenville's committee, and that it is there alone an effectual scrutiny can be had; but, Sir, the high bailiff is not to take Mr. Grenville's bill into his consideration; he is sworn to return those who have the majority of legal votes according to his judgment; and he is bound, therefore, to do every thing that is legal, in order sufficiently to inform his judgment: besides, give me leave to say, the possession even of the seat ought not to depend on the very loose discretion of the returning officer. The law and the constitution consider it to be a matter of some moment, who shall be put to the trouble of petitioning, and it is expected of the returning officer, that he should give the intermediate possession of the seat to those candidates alone, who have pretty strong *prima facie* evidence of their right.

Now, Sir, with respect to the legality of the scrutiny, under all the present circumstances, which appears to me the hinge on which every thing is now to turn, I am certainly forced to acknowledge, that there exists no precedent precisely in point, though the case of Vandeput and Trentham, in this same city of Westminster, appears to me nearly in point, as to the meaning and spirit of it; but there is certainly this accidental difference, that that was an election during the existence of parliament, the present is an election following a dissolution. What I mean, however, to prove, and what I say must be proved (unless we issue a new writ) is this; that the high bailiff was not so completely *functus officio* on the 18th of May, but that sufficient explanation having been given why the bailiff could not return the

writ on the day when it was returnable, the law and the constitution do allow, that this house should leave the returning officer to prosecute and complete the election which he has begun, without issuing a new writ.

The case of Coventry has been quoted, in order to prove the returning officer *functus officio*; but I deny that that is a case in point. There, the election was interrupted by riots, the poll books destroyed, and the returning officer therefore made (as in the present case) a special return, certifying to the house the reasons why he could not return two members; whereupon the house issued a new writ. But, Sir, between that case and the present, there is a striking difference. Here the bailiff reports to us, that the election is begun, but is not yet complete for certain reasons. In the case of Coventry, the returning officer certified, that the whole election had been defeated; not that he had not had time to decide whom he should return, but that he had all to begin again, which rendered a new writ most undoubtedly proper. The act of parliament on which gentlemen lay their great stress, and which the bailiff is said to have broken, is, as I understand, the 10th and 11th of King William; an act, as I must insist, applicable only to sheriffs, who were grown at that time extremely negligent in forwarding their writs, which are the aggregate of the precepts they had received in their respective districts from the several bailiffs. It applies to sheriffs, merely as executive, not as judicial officers; enjoining them to make up with diligence the precepts they had received, and to send them to the crown office within a limited time, under the penalty of 500*l.*; a moiety of which is payable to the person suing for it. Now, Sir, as the right honourable gentleman has confessed, upon better information, that he should stand no chance of recovering the penalty on a popular action, since he has declined this species of revenge upon the bailiff, which he at first threatened, he has saved me the trouble of contesting that question; and it is indisputably clear, that the present case can by no means come under that act. That act relates, I say, to the executive conduct of the sheriff; the present question re-

spects the judicial conduct of the bailiff, who, in order to make up his judgment, has thought proper, under certain extraordinary circumstances, to institute a scrutiny. I am far from thinking that a bailiff has any right to protract his election beyond the day when the writ is returnable, unless from very particular circumstances.—That argument, therefore, that bailiffs, at this rate, may protract the meeting of parliament to what period they please, must fall entirely to the ground. The house must judge of his reasons, must hear them, must examine them, and if they are insufficient, must correct and punish him, if he be worthy of punishment; but if proof be given, that, owing to peculiar circumstances, it was impossible for him to fulfil his oath, and to judge who had the majority of legal votes, I say, then the law and the constitution permit, that he should prosecute what he has begun without a new writ, and take those measures which are absolutely necessary to form his judgment.

In order to examine more particularly what is the law of the case, we can only ask ourselves, how it stands when similar circumstances occur in the execution of other writs. In the nature of writs, it is agreed, there is no difference. Let us examine, then, the analogy of law upon the subject, and I hope, Sir, I shall not be thought pedantic, if I should allude somewhat technically to a profession which I once had the honour of belonging to, in order to prove distinctly what is the law upon this point. A very learned gentleman* near me has told you that in many instances the court allows an extension of time, in cases where some proceedings have been had upon the writ, but where every thing is not perfected by the day when the writ is returnable. Now, Sir, to bring this point of law more directly into the cognizance of the house, I will state a case: A writ is issued to the sheriff (in an action of debt) called a *capias ad satisfaciendum*, ordering him to seize the goods of A, and this is followed by another, called a *venditioni exponas*, and is returnable by a certain day; the sheriff, in prosecution of his writ, seizes the goods, in order to put them up to sale. But

* The Master of the Rolls.

we will suppose, that in taking these goods of A, as he is commanded by the writ, the sheriff, through mistake and confusion, lays hold of some goods of B, which are mixed with them, and he has not time to separate the goods of A, which are all he must take, and to put them up to sale before the writ is returnable. What does the sheriff do in this case? Why, Sir, he reports the particular circumstances which prevent his returning the writ to the court, and the court then allows him to go and examine into the goods, or, in other words, they grant a scrutiny upon the circumstances laid before them, not issuing any new writ, but allowing only an extension of the old one. Now, Sir, let the house alter the word sheriff to bailiff, and for dead goods read living, and this is the very case before you.

But if this which I have stated be true, if it be law, if it be the fact in the courts below, arguing as I have a right to argue upon the analogy of the law in every new case, I do implore the house to consider the absolute illegality of our interfering in the office of bailiff, and directing him either to return Lord Hood and Mr. Fox, as was once desired of us, or the illegality even of forcing him to return any two members before those measures are taken, which it is absolutely necessary to take, and which the law therefore enjoins him to take, in order to make his return.

Some gentlemen have talked of the peculiar jealousy of our constituents on matters of election; but, Sir, theirs has never been a jealousy lest this house should be supine in watching its own privileges. The jealousy of the people has always justly been, lest this house should assume privileges of electing members, or of directing their election, which is not for us to do. What was the case of the Middlesex election? Was it not, that the House of Commons determined, by their own authority, to impose on the people a representative who was not the object of their choice? God forbid that this house should again impose on the people any man who is not the object of their choice! But elections without doors take their legal course. It is our office to punish corrupt or partial returning officers; it is our

office to issue new writs; it is our office ultimately to decide election contests: but it is not within the scope of our privileges to direct the bailiffs whom to return; nor to order them, as if they were servants or officers of ours, to make returns in what manner and at what time we please. The right honourable gentleman, indeed, might, with some degree of consistency, propose to the house the assumption of new privileges in matters of election; for, in the case of the Middlesex election, we know that he was the champion of this house against the rights of the people; and it is singular enough that the only two points in which the right honourable gentleman and the noble lord for a series of years agreed, were in their decision of the Middlesex election, which is now so deservedly execrated, and in their execration of Mr. Grenville's bill, which is now so deservedly applauded.

Sir, it has been hinted to the house, that some new law to regulate Westminster elections will be proposed; and the right honourable gentleman, with a degree of ingenuity that is characteristic, immediately exclaims, that we find it necessary to introduce a new law, in order to prevent future parliaments from adopting the bad precedent we have set them. That a new law is wanted on the subject of elections in Westminster, is surely what nobody can deny; but my opinion is, that, until a new law is introduced, it is better to decide according to the laws existing, than to anticipate new laws, or to pass the bounds of our privileges. I am aware of the difficulties we are all reduced to, in so unheard-of a case as the present: for this house to order a bailiff whom to return, is impossible; neither is it possible for us to punish a bailiff, or even to forbid him from doing that which is absolutely necessary, to the forming of a reasonable judgment, which is not contrary to law, and in which the analogies of law, when the circumstances are compared, completely justify him.

The resolution was negatived,

Ayes.....117
Noes.....195

Lord Mulgrave's motion was then, upon a second division, carried "That the High Bailiff of the city of Westminster do proceed in the scrutiny for the said city with all practicable dispatch."

July 6, 1784.

Mr. PITT rose to open his new system for the government of India.—

No one, he said, could be more deeply impressed than he was with the importance of the subject on which he was then going to enter: in whatever point of view he considered it, he felt that no subject could possibly be more interesting. In it were involved the prosperity and strength of this country; the happiness of the natives of those valuable territories in India, which belonged to England; and finally the constitution of England itself. India had at all times been of great consequence to this country, from the resources of opulence and strength it afforded; and that consequence had, of course, increased in proportion to the losses sustained by the dismemberment of other great possessions; by which losses, the limits of the empire being more contracted, the remaining territories became more valuable—He was aware that nothing could be more difficult than to digest a plan, which should at once confirm and enlarge the advantages derived to this country from its connections with India; to render that connection a blessing to the native Indians, and at the same time preserve inviolate the essence and spirit of our own constitution from the injuries to which this connection might eventually expose it. Gentlemen would recollect with a degree of horror, to what dangers that happy constitution was exposed last year, when a bill was introduced into parliament, which would have established a system dangerous to every thing that Englishmen held dear; they would recollect, that the liberties of this country had nearly suffered shipwreck: the danger, however, was happily over; and the legislature had now an opportunity to consult about the means the most likely to reconcile and secure the interests of the people of this country, of the people of

India, and of the British constitution, as far as it might be effected by the connection with India. To his lot fell the arduous task of proposing to the house a plan which should answer all these great purposes. He was aware that no plan could be devised, to which some objections would not lie; he was aware that it was not possible to devise a plan that should be free from imperfections; he should therefore console himself if he should be able to suggest the means of doing the most good to India, and to the East India company, with the least injury to our constitution. In the arrangements that he should propose, it would be impossible to proceed, without giving to some body of men an accession of power; but it was his duty to vest it where he should have reason to think it would be least liable to abuse, at the same time that it should be sufficient, and not more than sufficient, for all the purposes for which it should be given: sufficient to secure to this country the wealth arising from the commerce of the company; to the inhabitants of Hindostan, peace and tranquillity; and to enforce obedience on the part of the servants of the company, to the orders that should be sent to them from home. In framing such a system, he thought it his duty never to lose sight of this principle—that though no charter could or ought to supersede state necessity, still nothing but absolute necessity could justify a departure from charters. He admitted that charters ought not to stand in the way of the general good and safety of the country; he admitted that no charter ought to be suffered to stand in the way of a reform, on which the being or welfare of the country depended; but at the same time he contended, that a charter ought never to be invaded, except when the public safety called for its alteration: charters were sacred things; on them depended the property, franchises, and every thing that was dear to Englishmen; and wantonly to invade them, would be to unhinge the constitution, and throw the state into anarchy and confusion.

With respect to the India company, its affairs were not in a state that called for a revocation of the charter; the necessity which would justify a revocation did not exist in this case; and

he felt no small degree of satisfaction in the assurance, that, at the moment when he had to propose such measures for the government of India, and the conduct of the affairs of the East India company, as to his judgment appeared most applicable, there no longer existed any danger of the best and most sacred rights of Englishmen being made a sacrifice to the ambitious projects of those, who, under the necessity that actually existed, had taken the desperate resolution, that nothing short of measures of the most decisive and extreme nature, and measures far exceeding the necessity of the case, could be effectual. He thanked God, so great a sacrifice had been escaped; and he trusted that the sense plainly and incontrovertibly declared to be entertained upon the subject by the majority of the people of England, would prove to be the sense of the majority of that house; and that they would join with him in opinion, that although it must on all hands be admitted, that there did exist a great and urgent necessity for the interference of the legislature with regard to the East India company, and the future government of India, yet, that neither state policy nor common prudence called for the legislature's proceeding beyond the limit of the existing necessity, much less of going the length either of destroying the rights of any individuals or bodies of men, established upon the most sacred of all foundations, the express words of solemn charters, recognized and confirmed by repeated acts of parliament, or of directly changing the constitution of the country, and departing from those known principles of government, which the wisdom of our ancestors had provided, and which had proved for ages the uninterrupted source of security to the liberties of Englishmen. It was, he said, to be acknowledged on all hands, that no rights of any body of men, however confessed to be rights of the most sacred sort, could supersede state necessity. To that, and that alone, they must give way; but then it ought ever to be a rule of conduct with those, to whose lot it fell to act under such a necessity, to take care that they did not exceed it. Nothing but such a necessity could warrant any government in proceeding to do, what must be an unwelcome task for all who had any con-

cern in its execution; but when they found themselves obliged to discharge a duty of that irksome nature, they ought to proceed warily, and with all possible tenderness and regard for those with whose rights they felt themselves obliged to interfere, and to be assured, that, in endeavouring to do all that their duty required, they did not unnecessarily tear up by the roots and annihilate those rights that were of essential consideration, and ought not to have been touched, because the exigency of the case did not actually require it. And though on a former occasion he had been derided, when he comforted himself with the idea, that, in every departure he should propose from the charter, he should have the consent and concurrence of the company, he still continued to find great consolation in the reflection, that he did no violence to the company; for no violence could be said to be done by regulations, to every one of which the company most cheerfully consented.

He did not find it necessary to create any system absolutely new for the government of our territories in India; he should rather endeavour to improve on the system by which those territories were governed at present. The great considerations to be looked to in the regulation of the government of India were threefold—the commerce of this country with that, and consequently the resources we derived from it; the interests of the inhabitants there; and the connection that the management of both had with our own constitution. Great inconvenience must, under the best possible devised form of government, necessarily arise from the circumstance of any country deriving a considerable part of her resources from a dependency at so great a distance; and this must also add to the extreme difficulty of governing India from home, because that distance must necessarily prevent the government at home, and those who filled the executive offices in India, from acting with equal views. For this reason he must repeat what he had before taken the liberty to state, when the subject had been under the consideration of the last parliament, that as no plan of government for India that human wisdom could suggest, was capable of perfection, so he was

far from presuming to think, that the plan he should propose would not occasion much difference of opinion, and be liable to a variety of objections. He could only with great humility submit that plan to the judgment of parliament, which, from the maturest consideration, he had been able to select as the most practicable and the most consonant to the present constitution; conscious, at the same time, that it was impossible for him with so many different subjects to attend to, to have found leisure to do justice to a matter of sufficient importance to engross the attention of any man whose mind had been vacant and unoccupied by other objects. To proceed, however, to the business to be stated, he observed, that it could not be denied, that in every project of government of India, there must be an accession of influence somewhere, which it became that house and the people in general always to regard with extreme jealousy. That influence, for obvious reasons, should not be left at home, but might, with greater safety, be trusted abroad in India, where the executive power must be lodged; as every man must see the necessity of having a government active on the spot, yet not independent of this country, but so constituted as to secure obedience to the system of measures dictated from home, while, at the same time, it was capable of preventing extortion in India, and frustrating the improper views of ambition and despotism. The channel of commerce, he said, must be our guide, as to our future expectations from our connection with India, since we ought to look to the management of our manufactures there, which must chiefly depend on the establishment of the happiness of the inhabitants, and their being secured in a state of peace and tranquillity. In order to effect this, he declared it would be necessary to give the government abroad a certain degree of power, subject only to the control of a board, to be appointed at home, of the nature that he had mentioned, when he had proposed a bill upon the same subject to the last parliament. He observed, that in the present consideration there were mixed interests to be regarded as well as mixed objects. Government and commerce were the two great objects to be looked to, while the interest of

the East India company, and the interest of the country, called for their most serious attention. The commerce of the company exclusively belonged to them; nor was it till the territorial acquisitions of the company became considerable, that the public claimed any participation in the advantages arising from the resources of those acquisitions, in the obtainment of which they had borne so large a share. The commerce to and from India, therefore, he meant to leave, where it ought to be left, in the management of the company.

It had, he remarked, been ever held, that commercial companies could not govern empires; but that was a matter of speculation, which general experience proved to be not true in practice, however universally admitted in theory. The East India company had conducted its commerce, and governed a vast empire for years; and it was to be remembered that the East India company was no new establishment; it rested on charters and acts of parliament; those charters ought undoubtedly to be regarded, and, as far as possible, the rights exercised and enjoyed under them ought to be held sacred. But, as he had before observed, there were no rights, that by accident or time became fatal to the interests of the public, or to the safety of the state, which must not be touched. The matter was, how to connect the constitution of the company with the national interests: from that regard and attention to chartered rights which he ever should profess, and which every man ought to practise, he had been led rather to consider, whether it was not possible to model the old constitution of the company, so as to make it answer every view of the state, and every interest of the public, rather than to make a new one; not thinking it necessary to confiscate, annihilate, and destroy, where the purpose could be attained without proceeding to any such violent lengths.

In the measures to be taken for the future government of India, if they had the company's concurrence, it would surely be admitted that they took the safest line; that they had pursued the wisest course; and the measures he should propose, were such as the company agreed to. The control he had mentioned ought

undoubtedly to remain where the constitution had placed all power, in the executive government of the country. The management of the commerce he meant to leave with the company. The patronage should be separate from the executive government; but be it given where it would, he should propose regulations that would essentially curtail and diminish it, so as to render it as little dangerous as possible. The patronage, however, he would trust with no political set of men whatever. Let it be in India, it would be free from corruption then, and when exercised under the restrictions and limitations he should propose, could, he flattered himself, be attended with no bad consequences.

He enlarged upon these points considerably; and then said, from what he had stated, the House would doubtless observe, that the bill he meant to move for leave to bring in, was not different from former bills that he had stated to the House. The great point of it, as far as he had opened it, was the appointment of a separate department of board of control, to whom all dispatches should be transmitted, and who should be responsible for what they did, and for what they did not do; who should blink nothing; who should be obliged to act upon every question that came before them; who should not shew any indulgence or partiality, or be guilty of procrastination; who should not have the plea of other business, or in fine, on any pretence, or in any other way whatever, put off or delay the duties of their office. This institution, though certainly new, was not charged with new duties; because the same powers of control had been given to the secretaries of state by various acts of parliament, but unfortunately they had never been exercised, having been suffered to remain dormant. He wished, therefore, to put it out of the power of that degree of laziness natural to office, any longer to defeat the public interest, by the institution of a board necessarily active and efficient. He was aware that many persons, who in general disliked, as much as he had done, the violence of the measures proposed in another bill, approved the idea of making the board of commissioners, to be instituted under the authority of that bill, permanent. He was not of this opinion; sure he was, that

the permanency of such a board as that bill proposed to institute, would have added to the mischiefs of it. Such a board would have been in itself a deviation from the principles of the constitution, and its permanency would have involved it in contradictions to the executive government that must have been attended with great public inconvenience. An institution to control the government of India must be either totally independent of the executive government of this country, or it must be subordinate to it. Ought the administration of the day to have no connection with what was going on? Let it be remembered that a permanent board might be hostile to those who held the government at the time; a view of it, which, he trusted, would sufficiently prove, that an actual independent permanency in any such board would be an evil. The existing government ought to be, to a degree, permanent; but the Indian department must not be independent of that: he meant therefore, to give it a ground of dependence, upon which all the various departments had a natural and legitimate dependency; viz. upon the executive government. Every government that had no other object than the public good, that was conscious of acting upon no other principles than such as were perfectly constitutional, that was swayed by no motives of a personal, an interested, or an ambitious nature, but which possessed a sufficient share of the confidence of the sovereign, of parliament, and of the people at large, would, from its conduct, be permanent; and the Indian government would be so of course. Having said this, he animadverted on the danger of once departing from the constitution, by appointing such a commission as the bill that had passed that House, but which had been rejected by the lords in the last parliament, authorised. He remarked, if the practice once obtained, there was no saying to what extent it might be carried, or how often the precedent might be multiplied: admitting it to pass in the instance of the late bill, they might have proceeded to separate and tear away all the departments from the crown, and put them one after another into so many parliamentary commissions.

With regard to the objections that had been started, and the

reasons that had been urged to prove that the company's directors ought not to be excluded from an insight of the papers of the commissioners, he was willing so far to give way to the arguments of that nature, as to permit the court of directors to see the papers of the commissioners; but they were to have no power of objecting: the decision of the commissioners must be final and binding upon the directors. He meant also to invest the commissioners with a power to originate measures, as well as to revise, correct, alter, and control those of the company: but with regard to such measures as the commissioners originated, the company were to be obliged to carry them into execution. This, he observed, took nothing from the company; since, in fact, it was nothing more than the power to put a negative on their measures, and the power of altering them, acting in another way. With respect to the appointment of the commissioners, he said, it was meant to be the same as that of persons holding great offices, viz. at the nomination of the crown. It was intended that the board should consist of none but privy counsellors; but the board should create no increase of officers, nor impose any new burdens, since he trusted there could be found persons enough who held offices of large emolument, but no great employment, whose leisure would amply allow of their undertaking the duty in question. And this circumstance, he observed, would have a good effect for the future, in rendering it necessary for ministers, when, by way of providing for their families, they appointed to offices hitherto considered as sinecures, to have some other consideration of the ability of the person about to be appointed to fill it; a consideration that could not but occasion the description of offices to which he was alluding, to be well filled for the future. The principal powers of this board, he recapitulated, would consist in directing what political objects the company's servants were to pursue, and in recalling such as did not pay obedience to such directions, or be able to give very satisfactory reasons to shew that circumstances rendered disobedience a virtue. The board would be strictly a board of control: it would have no power to appoint, nor any patronage; consequently it could have no motive to deviate from its duty.

Thus much, the house would see, related solely to the government at home. With regard to the government abroad, the first and leading ideas would be to limit the subsisting patronage, and to produce an unity of system, by investing the supreme government, to be seated in Bengal, with an effectual control over every other presidency, and by investing that supreme government, with executive power, and with the disposition of offices in India; but to make it a matter less invidious, and to prevent the possibility of abuse, gradation and succession should be established as the invariable rule, except in very extraordinary cases: with a view to which, there must be lodged in the supreme government, as in every other executive power, a discretion, which every man must see was actually necessary to be vested in an executive power, acting at such an extreme distance from the seat of the supreme government of all, but which was nevertheless to be subject to the control of the board of superintendency to be established here at home, whose orders in this, as in every other case, the government of India must obey. Though Bengal was designed to be the supreme government, it was not to be the source of influence: that being as much as possible guarded against by the regulations designed to make a part of the bill. The officers of the government of Bengal were intended to be left to the nomination of the court of directors, subject to the negative of the crown; and the court of directors were to have the nomination of the officers of all the subordinate governments, excepting only of the commander in chief, who, for various reasons, would remain to be appointed by the crown. He said, it might possibly be argued, that if the crown nominated the commander-in-chief, and had a negative upon the rest of the appointments, all the patronage remained in the hands of government at home. This, however, was far from being the case; the patronage of great appointments not being the sort of patronage for the public to entertain a jealousy about, and the other patronage being diffused and placed in Bengal, the influence from it was considerably weakened and diminished; add to this, all officers going by gradation and succession, would be a forcible check upon the patronage, and tend greatly to its reduction.

Having discussed this matter very fully, Mr. Pitt proceeded to state, that much would depend on the manner of administering the government in India, and that his endeavours should be directed to enforce clear and simple principles, as those from which alone a good government could arise. The first and principal object would be to take care to prevent the government from being ambitious and bent on conquest. Propensities of that nature had already involved India in great expenses, and cost much bloodshed. These, therefore, ought most studiously to be avoided. Commerce was our object, and with a view to its extension, a pacific system should prevail, and a system of defence and conciliation. The government there ought, therefore, in an especial manner to avoid wars, or entering into alliances likely to create wars. At the same time that he said this, he did not mean to carry the idea so far as to suggest, that the British government in India was not to pay a due regard to self-defence, to guard against sudden hostilities from the neighbouring powers, and, whenever there was reason to expect an attack, to be in a state of preparation. This was undoubtedly and indispensably necessary; but whenever such circumstances occurred, the executive power in India was not to content itself with acting there, as the nature of the case might require; it was also to send immediate advice home of what had happened, what measures had been taken in consequence of it, and of what farther measures were intended to be pursued. He mentioned also the institution of a tribunal to take cognizance of such matters, and state how far such a tribunal should be empowered to act without instructions from home. He next said, that the situation of the India princes, in connection with our government, and of the number of individuals living immediately under our government, were objects that ought to be the subject of an enquiry. The debts due from one Indian prince to another, over whom we had any influence, such as the claims of the Nabob of Arcot upon the Rajah of Tanjore, ought, undoubtedly to be settled on a permanent footing: this, and the debts of the natives tributary to us, ought also to be the subjects of enquiry. Another object of investigation, and an object of considerable delicacy, was the preten-

sions and titles of the landholders to the lands at present in their possession: in the adjustment of this particular, much caution must be adopted, and means found that would answer the end of substantial justice, without going the length of rigid right; because he was convinced, and every man at all conversant with Indian affairs must be convinced, that indiscriminate restitution would be as bad as indiscriminate confiscation. Another very material regulation, or rather principle of reform, from which solid hopes of providing a surplus adequate to the debt in India might be drawn, was, the retrenchments of our establishments in that country. At present it was a well-known fact, that all our establishments there were very considerably overcharged; at any rate, therefore, there must be no augmentation suffered; and in order to prevent the possibility of such an improvident measure, a return of all the establishments must be called for. With regard to the means of reducing them, they ought to be laid before parliament, and submitted to the determination of both Houses. Every intended increase of the establishment ought also to be submitted to parliament, and the company to be immediately restrained from sending out any more inferior servants. He stated that it would be necessary, by proper provisos, to compel the execution of these points: and the better to guard against the continuance of that rapacity, plunder, and extortion, which was shocking to the feelings of humanity, and disgraceful to the national character, he proposed to render the company's servants responsible for what they did in every part of India, and to declare it illegal and punishable, if they, on any pretence whatever, accepted sums of money, or other valuables, from the natives. This would, he hoped, tend effectually to check private corruption. There were, he was aware, a certain species of presents, so much a part of the ceremonies inseparable from the manners of the East, that an attempt to direct that they should not be received, would be utterly impracticable; but even as much as possible to guard against any bad consequences resulting from the continuance of the practice in question, he meant that the bill should oblige the company's servants in India to keep an exact and faithful register of all such presents.

With regard to those of the company's servants, who did not comply with the directions the bill would hold out to them, and to such other directions as should, under the sanction and authority of the bill, be transmitted to them from home, such persons should be considered as guilty of offences punishable in the degrees stated in the bill, which should contain a special exception of those guilty of disobedience of orders and other crimes, which from their consequences, being of a most fatal tendency, must be punished with great severity. In respect to this part of his subject, the house, he had no doubt, would go along with him in feeling the necessity, and at the same time the extreme difficulty, of providing a proper tribunal, before which persons charged with offences committed in India should be tried. He owned he had an extreme partiality to the present system of distributing justice in this country; so much so, that he could not bring himself for a moment to think seriously upon the idea of departing from that system, without the utmost reluctance: without mentioning names, however, or referring to recent instances, every man must acknowledge, that at present we had it not in our power to do justice to the delinquents of India, after their return home. The insufficiency of parliamentary prosecutions was but too obvious; the necessity for the institution of some other process was therefore undeniable. A summary way of proceeding was what had struck him, and he believed, others who had thought much upon the subject, as most advisable: the danger, however, was the example that must arise from any deviation from the established forms of trial in this country, it being perhaps the first, the dearest, and the most essential consideration in the mind of every Englishman, that he held his property and his person in perfect security, from the wise, moderate, and liberal spirit of our laws. Much was to be said with respect to the case in point: either a new process must be instituted, or offences equally shocking to humanity, opposite to justice, and contrary to every principle of religion and morality, must continue to prevail unchecked, uncontrolled, and unrestrained. The necessity of the case outweighed the risk and the hazard of the innovation; and when it was considered that those who might go to India hereafter, would know the danger of

transgressing before they left England, he trusted it would be admitted that the expedient ought to be tried. Should such a law pass, every man who should go to India in future, would, by so doing, consent to stand in the particular predicament in which the particular law placed him; and in thus agreeing to give up some of the most essential privileges of his country, he would do no more than a very numerous and honourable body of men did daily, without the smallest impeachment of their characters, or the purity of the motives that impelled their conduct.

Mr. Pitt suggested loosely what his idea of the summary species of trial he meant to authorise was. He said, there must be an exception to the general rules of law; the trials must be held by special commission: the court must not be tied down to strict rules of evidence; but they must be upon their oaths to give judgment conscientiously, and pronounce such judgment as the common law would warrant, if the evidence would reach it. Much, he was aware, would depend on the constitution of the court. His design, therefore, was, that it should be composed of men of known talents, unimpeached character, and high consequence; that their impartiality should be farther secured by their election being by ballot; and that a certain number out of the whole nominated should make a court, in order that there might exist the chance of a choice by ballot. The persons to be balloted for, should be some of them from among the judges, some members of the house of lords, and some members of that house. Such a mixed assemblage, from the very first characters in the kingdom, would leave no room for suspicion, or possible impeachment of justice; and, in order still more strongly to fortify the subject against injustice, they should not be chosen till the hour of trial, and should then be all sworn. To effect the purposes of the institution of such a tribunal, they should be empowered to take depositions, and receive information, communicated by witnesses who were in India when the delinquent was stated to have committed the offences he might stand charged with; and farther, they should be judges both of the law and the fact. With regard to the punishments, they should be go-

verned by the punishments the law, as it stood, authorised in cases of misdemeanour, viz. fine and imprisonment; but the extent of these should rest in the discretion of the court, to apportion according to their opinion of the proved enormity of the crime: and as a farther means of rendering such a tribunal awful, and of giving effect to its plans for preventing the perpetration of crimes shocking to humanity, it should be armed with the power of examining the parties charged as delinquents, by interrogatories, as to the value of their effects, in order the better to be able to govern the quantum of the fine to be levied in case of conviction: it should also be armed with the power of examining the amount of any man's property on his arrival in England from India; and since purity and abstinence were the objects which every man must desire should characterize the conduct of their countrymen in Asia, the company should not have it in their power to employ any one of their servants convicted of a misdemeanour while he had been in India, nor should any person be suffered to return to that country after his stay in this beyond a certain limited period. Mr. Pitt interspersed his notification of the different principles and regulations which his intended bill went to establish, with a variety of illustrations and arguments; and concluded with moving, "That leave be given to bring in a bill for the better regulation and management of the East-India company, and of the possessions in India."

The motion, after a few observations from Mr. Fox, was agreed to.

February 22, 1785.

THE House having, on Mr. Pitt's motion, resolved itself into a Committee of the whole House, for the purpose of taking into consideration that part of his Majesty's Speech which recommended to their earnest attention the adjustment of such points in the Commercial intercourse with Ireland as were not yet finally adjusted; and the eleven resolutions agreed to by the Houses of Lords and Commons of Ireland, being read,

MR. PITT rose, and opened the system of commercial inter-

course between the two kingdoms. He said he flattered himself he should be honoured with their indulgent attention, of which he should fully stand in need, while he endeavoured to state to them the important propositions on which he conceived an advantageous and honourable system of intercourse might be established between Great-Britain and Ireland. In a business of such moment, he knew that it was equally unnecessary for him to desire the attention of gentlemen, as to intreat that they would enter into the consideration of the subject without prejudice, and with the earnestness which its political magnitude required. There was not a man in the House, of whatever party or description, however attached or connected, who would not agree that the settling of the commercial intercourse of the two countries, on a firm, liberal, and permanent basis, by which an end might for ever be put to jealousies and clamour; by which all future pretexts to discontent might be removed, and by which the surest foundations of future strength and opulence might be laid, was one of the greatest topics which could be agitated in parliament, and one of the most desirable objects that they could accomplish. They would meet with one disposition as to the end, however they might differ about the means; and he only prayed that gentlemen would enter into the discussion of the subject without prepossession from what they might have heard, and without giving ear to the insinuations which had been so industriously circulated through the metropolis, and distributed, perhaps, to every corner of the country. These insinuations applied to particular subjects of the discussion, and were founded on misconception of those great and necessary *data* in our relative situation, upon which, without bending our view to partial aspects, we must ultimately decide this great question. If gentlemen had adopted ideas from cases half stated, or from cases misrepresented by those who had made up their minds, without knowing whether the state of the question made it necessary that the line should be pursued which had been adopted, it would be more difficult for him to clear the way to the true consideration of the question than it otherwise would have been.

It was incident to every proposition, that, until it should be fully exposed, those who might have the interest or inclination to raise clamour by partial statements of it, had the advantage in the conflict for a time: but when the whole could be fairly elucidated, truth would always, as it ought, have its prevalence over misrepresentation, and the delusion, though extensive, would be but momentary.

With regard to the important question, he conceived it to be simply this: What ought to be the principles on which the relative commercial interests of the two kingdoms should be settled in the system of intercourse to be established between them? In answering this question he had no difficulty in saying, that the system should be founded on principles of expediency and justice; and he was confident in saying, that, in the mode in which the king's ministers had pursued the object, they had paid regard to those principles. It had been a subject of insinuation that the steps which they had taken were not conducive to the ultimate success of the measure, and that they had embraced notions which were hostile in every conception to the end in view. He would not go minutely into the detail of the propositions which had been read by the clerk at the table, and which he confessed were the basis of the system which he meant to submit to their wisdom, because he was aware that the committee were not ripe to decide on them, and would not be competent to the discussion, until they had examined all the accounts which were already, or which might hereafter be, laid on their table.

It was his wish that those examinations should be full and minute; that time should be given them for the discussion; and that the whole should be fairly and fully investigated before they came to any determination. He did this in the confidence that, upon such mature consideration, they would find the general propositions to be founded on good sense and substantial policy. He was sensible that the smaller parts might require much curious and minute investigation; they would stand in need of correction, and perhaps of change. He trusted that he should have

the assistance of all the wisdom and information of the committee on those points; and he assured them that full time, and the utmost information, should be given for the discussion. In such a business, such a determination was essential; for it was of the greatest and most decisive importance to both kingdoms, since the end and object was no less than to establish a system that should be permanent and irrevocable.

He should confine himself to general principles in the exposition of the business this day. The motion with which he should conclude would fully explain the principles; it had a reference to the commercial regulations which had been read at the table, and which the houses of lords and commons of Ireland had declared to be the basis of what they should consider as a proper and effectual system of intercourse. His motion did not tend to any direct point; but it led their attention to the general prospect of the scheme, accompanied with a provision which he conceived to be essential to the whole.

In treating this important question, he would beg leave to recal their attention to what had been, and what was the relative situation of the two countries. They would recollect that, from the revolution, to a period within the memory of every man who heard him, indeed, until these very few years, the system had been that of debarring Ireland from the enjoyment and use of her own resources; to make the kingdom completely subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her citizens, or making them contribute to the general interests and strength of the empire. This system of cruel and abominable restraint had however been exploded. It was at once harsh and unjust, and it was as impolitic as it was oppressive; for, however necessary it might be to the partial benefit of districts in Britain, it promoted not the real prosperity and strength of the empire. That which had been the system counteracted the kindness of Providence, and suspended the industry and enterprise of man. —Ireland was put under such restraint, that she was shut out from every species of commerce:—she was restrained from send-

ing the produce of her own soil to foreign markets, and all correspondence with the colonies of Britain was prohibited to her, so that she could not derive their commodities but through the medium of Britain. This was the system which had prevailed, and this was the state of thraldom in which that country had been kept ever since the revolution. Some relaxations of the system, indeed, took place at an early period of the present century. Somewhat more of the restrictive laws were abated in the reign of George II.; but it was not until a time nearer to our own day, and indeed within the last seven years, that the system had been completely reversed.

It was not to be expected but that when Ireland, by the more enlarged sentiments of the present age, had acquired an independent legislature, she would instantly export her produce and manufactures to all the markets of the world. She did so, and this was not all. England, without any compact or bargain, generously admitted her to a share in her colonies. She gave her liberty to import directly, and to re-export to all the world, except to Britain, the produce of her colonies. Thus much was done some years ago; but to this moment no change had taken place in the intercourse between Great Britain and Ireland themselves. Some trivial points, indeed, had been changed; but no considerable change had taken place in our manufactures exported to Ireland, or in theirs imported to England. That, therefore, which had been done, was still viewed by the people of Ireland as insufficient; and clamours were excited, and suggestions published in Dublin and elsewhere, of putting duties on our produce and manufactures, under the name of protecting duties.

Having thus far relaxed from the system which had been maintained since the revolution,—having abandoned the commercial subserviency in which we had so long persevered, and having so wisely and justly put them into a state in which they might cultivate and profit from the gifts of nature,—having secured to them the advantages of their arts and industry, it was to be observed that we had abolished one system, and had esta-

blished another; but we had left the intercourse between the two countries exactly where it was. There were, he said, but two possible systems for countries situated in relation to one another like Britain and Ireland. The one, of having the smaller completely subservient, and subordinate to the greater—to make the one, as it were, an instrument of advantage, and to make all her efforts operate in favour, and conduce merely to the interest of the other. This system we had tried in respect to Ireland. The other was a participation and community of benefits, and a system of equality and fairness, which, without tending to aggrandize the one or depress the other, should seek the aggregate interests of the empire. Such a situation of commercial equality, in which there was to be a community of benefits, demanded also a community of burdens; and it was this situation in which he was anxious to place the two countries. It was on that general basis that he was solicitous of moving the proposition which he held in his hand, to complete a system which had been left unfinished and defective.

Under these circumstances, to discover the best means of uniting the two countries by the firmest and most indissoluble bands, ministers had, during the recess, employed themselves in inquiries by which they might be able to meet parliament with a rational and well-founded system. That they might form the outline of such propositions, from the mutual ideas of both countries, and that they might join in the principles on which the basis of the intercourse was to be laid, they thought it their duty not to come into the parliament of Britain until they knew what additions to the relaxations which were lately made, would be likely to give entire satisfaction to the people of Ireland; what commercial regulations they would think essential to commercial equality; and what proportion of the expense of supporting the common interests Ireland would be content to bear, on being thus made a common sharer in the benefits. They were now prepared to meet parliament with the system, founded on the intelligence of the sense of the Irish legislature on the subject, and, he believed, of the Irish people.

It was his wish to examine the system in two striking points of view, into which it naturally divided itself:

1st. To examine what would be the effects of the commercial arrangements suggested in the propositions on the table, on our particular commerce and manufactures; and,

2d. To examine the effects of an extension of the trade of Britain, in the return which Ireland would make towards the common expense.

He would beg the indulgence of the house while he went particularly into the consideration of these branches of the subject. The first branch, viz. the commercial arrangements, again should be divided into two parts. 1st. In so far as they regarded our navigation laws, and the monopoly of our commerce with our colonies; and, 2dly. In so far as they regarded the intercourse between the two countries by the equalizing of duties.

The first branch of this subject, namely, the liberty of importing the produce of all countries importable into England, directly, from henceforth, through the medium of Ireland, was likely to attract most of the attention of the house. The alarms of the people would also be excited to this measure, and excited under names which, from long habit, we were accustomed to reverence. It would be said, that this measure would be destructive of our navigation laws, the source of our maritime strength and commercial opulence. Those who argued in this way merited, however, but little credit; for they did not seem to have taken much pains to make themselves acquainted by experience with those navigation laws. How far this new measure would depart from the spirit of those laws, would be seen from this short statement of the fact. Goods, the produce of Europe, might now be imported into Britain through Ireland, by the express authority of the navigation act. The new proposition applied only to Africa and America, for Asia was excluded, as the East India company had the monopoly of the trade to that quarter of the world. It was therefore to be asked, whether it would be wise in this country to give to Ireland the liberty of importing,

and afterwards of exporting to Britain, the produce of our colonies in Africa and America?

If we desired to give satisfaction to Ireland, and to put an end to all contention, by a system founded in equality and reciprocity, he conceived that this was a wholesome and proper measure. Every man would agree that it was desirable to give them a complete participation, if it could be done without encroaching on our navigation laws and commercial system, which were so deservedly dear to us. It should be remembered that we had already given to Ireland our intercourse with our West-India islands. In the late alteration of the system we had opened the way of Ireland to all foreign markets; and in doing that, we had conferred no favour, and made no concession. It was the natural right of Ireland, and the measure was a measure of justice, but not of grace. We, however, had gone farther than that: we had given them direct intercourse with our own colonies—with those colonies which we had acquired by our own treasure, and which we maintained by our own authority. This was liberal—it was a favour—it was certainly advisable to give this proof of our friendship; but it was given without reciprocity, without securing from Ireland any return, or receiving any proportionate aid towards the maintenance of trade or the protection of those colonies.

The question now was, therefore, whether, with so much given, and so little received, it would be wise to destroy that much by a niggard detention of the little that was left; or whether, by adding the little to the much already given, we might not secure a valuable return?

He knew there might be persons, who, with separate interests, or perhaps with personal interests, might start objections, and find pretexts for clamour against every national object that could be embraced; and while ear was given to such clamour, we must remain in the same unprofitable system as heretofore. But if they wished to pay respect to the advantages of quiet and security; if they desired to have a return proportional and adequate, it was his opinion that the little which was left ought to

be given for a return, in addition to the much which was given without any return at all: and happy would it be for Britain, if, by a profitable use of what little was left, she could yet secure the advantages which might have been so much more certainly procured in the former season.

But it was requisite to proceed to inquire what would be the effects produced by giving this extension to Ireland? The committee would be the place for detail. He would confine himself, therefore, to the general view of the subject. They had heard in popular discussions, and in those publications which were propagated so freely through the metropolis, that this measure would strike a deadly blow to the navigation laws of this kingdom. It would be said that, by this blow, that act, which was the palladium of our commerce, would be ruined. These were clamours to which he could not subscribe. He desired to know what was likely to be the extent of this boon? Would it be more than that Ireland would be able to send to Britain what she might have imported from the colonies above what was necessary to her own consumption? Was it likely that she was to become the emporium, the mart of the empire, as it was said she would? He could not believe that it would ever be the case. By emporium he supposed was meant, that Ireland would import the produce of Africa and America, afterwards to distribute it to all the world, and to Britain among the rest. If this liberty would strike a fatal blow to the commerce of England, he begged it might be remembered with whom the blow had originated. By the inconsiderate and unsystematic concessions which had been made four years ago, the blow was struck. They would not have been inconsiderate, if accompanied with provisions of a return—not if the system had been finally settled; but those concessions were inconsiderate, because we had been inclined to hide our situation, both from ourselves and others, without examining the extent of what we were giving away, and without securing the general interests of the empire: so that, if there was any danger of Ireland's becoming the emporium, and of her supplanting us either in our own or in foreign markets, it

was by the advantages given by the noble lord* whom he had then in his eye; and he trusted the nation would know and feel from whence the calamity really sprung.

No such consequence, however, was likely to ensue. Ireland did not covet the supply of the foreign markets, nor was it probable that she would furnish Britain with the produce of her own colonies in any great degree. Ireland was to have the liberty of bringing to Britain, circuitously, what she herself had the liberty of bringing directly. It must be proved that Ireland could afford this circuitous supply cheaper than Britain herself could give the direct supply, before any idea of alarm or apprehension could be raised in any bosom. That fact would be inquired into. It would be inquired, whether there was any thing in the local situation of the ports of Ireland, which would enable her to make this circuitous voyage cheaper than we could make the direct one; whether the nearest way to England was through the ports of Ireland. He had no reason to believe that the freight was cheaper from Ireland to the West Indies, than from England. Then there was to be super-added to this equal freight, the freight between Ireland and Britain, which would operate as a very great discouragement; for he had reason to believe, that this super-added freight would be, on the average, a fourth of the original freight. He wished to avoid figures and unauthorised assertions; but all this would be subject of inquiry; and to this he must add the double insurance, double commission, double port duties, and double fees, &c. all of which would operate most severely against Ireland.

There was one other observation on this part of the subject. It was not merely a question, whether Ireland should be able, by local advantages and resources, to become the carriers, but we were to compare the contest between ourselves and them. Ireland could now send a cargo to the West Indies, and bring a cargo directly to Britain; or she could invoice a part of her cargo to Britain, and part to Ireland. The question was, there-

* Lord North.

fore, whether her original cargo was to be afforded cheaper, whether her shipping and navigating were cheaper, and whether, with all these advantages, it could be possible that this circuitous trade could be cheaper than the direct trade?

All this would be searched to the bottom; and in this view of the subject, the discussion would be fair; but nothing would be more unfair than to contend, that this new commerce would be contrary to the act of navigation. It ought to be a question, how much of the wealth of this nation might centre in Ireland by this measure; but in looking into the spirit and meaning of the navigation act, nothing could be more absurd than to say that it was contrary to that act. The principle of that act was the increase of the British shipping and seamen. Here then this principle was out of the question; for in several acts, and in one passed so lately as 1778, Irish shipping and seamen were to be considered as British. There was not then that degree of danger in adding this to the other concessions which had been made to Ireland.

The other great and leading principle in this branch of the measure was the equalising of the duties on the produce and manufactures of both countries; and this he would explain very shortly. On most of the manufactures of Ireland, prohibitory duties were laid in Britain: linen, however, was a liberal exception. On the contrary, our manufactures had been imported into Ireland at low duties. It was now the question, whether, under the accumulation of our heavy taxes, it would be wise to equalise the duties, by which a country, free from those duties, might be able to meet us, and to overthrow us in their, and in our own markets? Upon this he would state some general observations as shortly as possible. A country not capable of supplying herself, could hardly meet another in a foreign market. They had not admitted our commodities totally free from duties---they bore, upon an average, about ten per cent.; but it was very natural that Ireland, with an independent legislature, should now look for perfect equality. If it be true, that, with every disadvantage on our part, our manufactures were so su-

perior that we enjoyed the market, there could be no danger in admitting the Irish articles to our markets on equal duties. What strong objections could be started? Every inquiry had been made, and the manufacturers with whom he had conversed had not been alarmed at the prospect. On our side, on account of our heavy internal duties on some articles, port duties must be added on the equalising principle; and he trusted that all little obstacles would be over ruled.

It was said, that our manufactures were all loaded with heavy taxes---it was certainly true; but with that disadvantage they had always been able to triumph over the Irish in their own markets, paying the additional ten per cent. on the importation to Ireland, and all the charges. But the low price of labour was mentioned. Would that consideration enable them to undersell us? Manufacturers thought otherwise; there were great obstacles to the planting of any manufacture. It would require time for arts and capital, and the capital could not increase without the demand also; and in an established manufacture improvement was so rapid as to bid defiance to rivalship. In some of our manufactures, too, there were natural and insurmountable objections to their competition. In the woollens, for instance, by confining the raw material to this country, the manufacture was confined also.

There might be some branches in which Ireland might rival, and perhaps beat England; but this ought not to give us pain: we must calculate from general and not partial views, and above all things, not look on Ireland with a jealous eye. It required not philosophy to reconcile us to a competition which would give us a rich customer instead of a poor one. Her prosperity would be a fresh spring to our trade.

One observation more on this branch, and that was, that the price of labour, proportionably lower now, was an advantage which would be constantly diminishing. As their manufactures and commerce increased, this advantage would be incessantly growing less. For these reasons he did not think that England

had any thing to fear in the proposed scheme of equalizing the duties on the admission of their mutual produce.

Having said so much about what was to be given by England, he should pass next to the other part of his proposition, without which the former would be an improvident surrender of advantages belonging at this moment to Great Britain—he meant the return that was to be made for them by Ireland. He could not, at the outset of this business, expect that any specific sum should be proposed by the Irish parliament, towards defraying the expense of protecting the commerce of the empire; because it was impossible for them to ascertain at present, or for some time to come, the amount of the advantages that the Irish would derive from this system; on the other hand, it would have been improper not to stipulate for something. He had, therefore, thought it best for this country, that she should have some solid and substantial provision for what should be stipulated in her favour, and that should keep pace with benefits that the system would produce to the Irish; for this purpose it had been agreed, that the provisions should consist of the surplus of the hereditary revenue, whenever there should be a surplus; and this fund, the committee would perceive, from what he was going to state, was precisely that from which it could be best collected, to what degree the Irish should have been benefited by the commercial regulations.

The hereditary revenue in Ireland was that which was inseparably annexed to the crown, and left to the king to be disposed of at his discretion, for the benefit of the public. It was pretty much like the hereditary revenue that was formerly annexed to the crown in this country, and which was given up by his present Majesty for a certain annuity: above four-fifths of the Irish hereditary revenue was raised in such a way, that the whole must necessarily increase, with an increase of commerce. It was raised from three several objects:—from customs, the produce of which must necessarily be greater, when the customed goods imported into Ireland should be more in value than they had hi-

therto been; from 10 per cent. on other kinds of goods entered, which must of course bear always a proportion to the extent of the trade;—from hearths; an increase of population would produce an increase of houses, and an increase of houses would necessarily produce an increase of hearths, and consequently of this branch of the revenue;—from an inland excise, which, depending always upon consumption, must always rise with population and property, and consequently, should the trade and population of Ireland exceed in future what they were at present, the hereditary revenue would be benefited by both. This revenue had not, indeed, for many years back, been equal to the ends for which it had been granted to the crown; and the deficiencies had been made up by new taxes imposed by the Irish parliament: it did not at present make above half of the whole; by the papers on the table, it appeared that it produced at present 652,000*l.* a year. For some time back there had been an arrear incurred, the expenses of the state being greater than its income; but he understood that steps were to be taken to bring both to a level, and then a reasonable hope might be entertained, that, if the trade of Ireland should grow more flourishing, there would be a considerable surplus on this revenue, applicable to the protection of the common trade of the empire, and he indulged this hope the rather, for that several years back, when government took care that the expenditure should not be greater than the income, the hereditary revenue produced 690,000*l.* a year, though the commerce of the country was at the time shackled with innumerable restraints: what then might be expected from it, when that trade on which it depended should be enlarged?—Then it would be found that our strength would grow with the strength of Ireland; and, instead of feeling uneasiness or jealousy at the increase of her commerce, we should have reason to rejoice at such a circumstance, because this country would then derive an aid for the protection of trade, proportioned to the increase of commerce in Ireland. He did not mean that we should very soon experience any very great assistance from this revenue, because it would take some time before new channels of trade could be

opened to Ireland: but from the nature of this fund it would appear, that if little should be given to England, it would be because little had been gained by Ireland; so that, whether much or little should be got from it, England would have no cause to be dissatisfied: if much should be got, she would be a gainer; if little, it would be a proof that little of the commerce of England had found its way into Ireland; and consequently there could not be much room for jealousy. The parliament of Ireland had readily consented to the appropriation of the surplus out of the hereditary revenue, to the defence of trade; but though he did not in the least doubt the intention of that parliament liberally to fulfil what had been so readily resolved, yet in a matter of so much moment to Great-Britain, he felt that he ought not to leave any thing to the generosity or liberality even of the most generous and liberal. As it was his object to make a final settlement in this negociation, and to proceed upon a fixed principle, he wished it to be understood that, as he meant to insure to Ireland the permanent and irrevocable enjoyment of commercial advantages, so he expected in return, that Ireland would secure to England an aid as permanent and irrevocable. The resolution of the Irish parliament on that point was not worded in as clear a manner as he could wish. It stated, "That for the better protection of trade, whatever sum the gross hereditary revenue of the kingdom (after deducting all drawbacks, repayments, or bounties in the nature of drawbacks) shall produce annually over and above the sum of ———, should be appropriated towards the support of the naval force of the empire, in such a manner as the parliament of this kingdom shall direct." Now this did not plainly hold out the prospect of this surplus being irrevocably applied to this purpose; and as this was with him a *conditio sine qua non*, he would not call upon the committee to pledge itself to any thing on the subject, till the parliament of Ireland should have re-considered the matter, and explained it more fully.

Such, then, was the outline of the plan he intended to propose: the minute parts of it, would, no doubt, be open to full and fair investigation; and gentlemen would consequently be at

liberty to call for any information that could possibly be procured. He flattered himself, that after what he had stated on different points, fears and jealousies would be laid aside. Gentlemen would see that except the mere intercourse with respect to certain articles between the two kingdoms, all the rest of the globe, not included in the East India company's charter, was already open to Ireland; nay, that she could by law at this moment supply England circuitously through her own ports, with every sort of West-India commodities; and therefore, that whatever ground there might have been a few years ago for alarm, there was little or none now, when so little remained to be done. He did not apprehend that any manufacture in this country would immediately feel any bad consequence from the commercial extension to Ireland, or that any number of English manufacturers would be thrown upon the world for want of employment, or that they could be so soon rivalled and surpassed in any branch, as not to have time first to turn their thoughts to some other line of business; but should even an inconvenience of this kind happen in some small degree, it would be over-balanced by the good consequences that must attend the proposition he had to make: for, in the first place, it would form a final adjustment of commercial interests between the two countries; it would allay discontents in Ireland, and restore peace and harmony to the remaining branches of the empire; and secondly, if it took any thing from England in one way, it would highly benefit her in another, by providing a relief to her in the heavy expenses of protecting trade. He concluded, by moving the following resolution: "That it is the opinion of this committee, that it is highly important to the general interest of the empire, that the commercial intercourse between Great-Britain and Ireland shall be finally adjusted; and that Ireland should be admitted to a permanent and irrevocable participation of the commercial advantages of this country, when the parliament of Ireland shall permanently and irrevocably secure an aid out of the surplus of the hereditary revenue of that kingdom, towards defraying the expense of protecting the general commerce of the empire in time

of peace." He observed, that, consistently with what he had said of the necessity of a further explanation on the part of the parliament of Ireland, respecting the permanency of the aid to be given for the protection of trade in general, he could not call upon the committee to give an immediate opinion upon his proposition; he would not, therefore, press for a vote now, but, on the contrary, would move that the further consideration of the resolution should be adjourned to a future day.

March 9, 1785.

DEBATE on a motion made by Mr. Fox, "That the former resolutions respecting the Westminster Scrutiny be rescinded and erased from the journals."

Mr. PITT declared, that he had given the minutest attention to every thing that had fallen on either side of the house, and particularly to the right honourable gentleman*, not with any hopes of finding a new light thrown either on the legality or expediency of the question, but because he had been desirous to discover how far the ingenuity of gentlemen would go in giving an apparent diversity to arguments, which had already been so repeatedly handled in every shape that invention and subtlety could possibly give them. In aid to all the authorities which had already been adduced, the right honourable gentleman had resorted to new authorities of his own creation, those of the lord chancellor†, and the chief justice of the king's bench‡. Gentlemen, no doubt, must have at first imagined that the right honourable gentleman had come to the house armed with the express opinions of those great luminaries of the law, by the confidence with which he had used the sanction of their names to enforce his argument; but after availing himself for about a quarter of an hour of the credit which he assumed on the supposition of their opinions, he had at last thrown off his borrowed ornaments, and confessed that in the supposed opinions of those

* Mr. Fox. † Lord Thurlow. ‡ Lord Mansfield.

great men he had been only gratifying his imagination in contemplating in them, as in a mirror, his own conceptions. He wondered that with regard to the latter of those noble and learned personages, who had been so long ago, as the right honourable gentleman had mentioned, a "practical lawyer," it had not been observed, that he was a practical lawyer, just about the period of the scrutiny on the contest for Westminster between Trentham and Vandeput, and at that very time in a high department under government. He wished the right honourable gentleman had not forgot to refer to another authority—an authority, which, while true dignity of character, unbounded information, abilities of the most unparalleled magnitude, and an integrity on which no party had ever attempted to fix a stain, should continue to be respected, would ever be an object of the love, the gratitude, and the admiration of England;—the authority to which he alluded, was that of a noble lord,* who had formerly been chief justice of the court of common pleas, and afterwards chancellor of England, and who, he was happy and proud to say, was now at the head of his Majesty's councils. He presumed it would not be contended as probable, that that noble lord was of the same opinion as the right honourable gentleman; or, no doubt, he would also have availed himself of the strength which the supposed accession of his opinion would have given his motion. Another authority had been offered, and it was an authority to which he paid as great a degree of respect as the right honourable gentleman possibly could—the resolutions of the city of York. This authority was not, like the others, merely imaginary; and he rejoiced it was not so, as it was decidedly in his (Mr. Pitt's) favour: for so far from desiring the house to correct the abuse complained of, in the manner in which they were, by this motion, pressed to do, the object of those resolutions was nothing more than an exact type of what had already been declared by so many of his friends to be the proper and necessary remedy, and which it was, and had been, ever since the abuse had arisen, his resolution to apply.

* Lord Camden.

With respect to the animadversions which he had levelled against his learned friend near him (the attorney general), they were such as he was sure could make no impression on himself, or the house. The learned gentleman (setting aside the consideration to which he was entitled from abilities, that, he would venture to say, were not surpassed in his profession) might well expect that some degree of credit was due to the high office he filled, especially on a question of this nature, where it was not in issue merely whether the conduct complained of was, on a close and deep investigation, contrary to the abstruse and more difficult point of law; but whether it was so manifest and so gross a violation of plain, avowed and important principles, as must have proceeded from intentional corruption, or unpardonable error, which could alone justify the measure now demanded; a measure of so delicate a nature, that it certainly ought never to be resorted to on light and frivolous grounds, nor could it be adopted without the danger of introducing a wantonness and inconsistency into the conduct of parliament, that must effectually overturn all the good purposes of its institution—a measure, that called upon the house in express terms to avow their own repeated resolutions, formed on the most mature deliberation, and the most patient debate and discussion, to be the offspring either of wilful dishonesty, or of the most disgraceful ignorance. For his own part, he said, that however he might have altered his sentiments, in respect to the expediency of the resolutions which the house was now called upon to rescind, he had by no means departed from his firm persuasion of the legality of those resolutions. The house had been warned against adopting legal analogies as the ground on which they were to decide the present question; positive precedents were insisted on, as the only documents that could support the legality of the scrutiny. He argued, that the doctrines of the gentlemen on the other side of the house, went to establish the necessity of a returning officer's sacrificing the *substance* to the exigency of the writ. It would ill become him, the avowed advocate for a pure representation of the people, and it would tend very little towards procuring for

him the confidence of the public towards his profession on that subject, were he by any means whatsoever to contribute to the increasing of the many defects which were at present so justly complained of in the constitution of parliament; and surely there could be no greater abuse than that of compelling a returning officer to make a return of members, who were not elected by a majority of legal votes; yet this must be the case in many popular elections, if the returning officer, on a fair suggestion and rational belief of improper practices on the poll, had not the power of examining by a more regular and accurate mode, than the nature of such an election, according to the usual method of conducting them, was capable of affording.

The right honourable gentleman had disputed the calculation of the right honourable and learned gentleman (the master of the rolls)* of the time allowed to the sheriffs of London to make their return, by the statute of 13 Geo. II. in order to overturn the argument of analogy, which had been drawn by that gentleman, who, though he had given the assistance of his opinion, he was sorry to inform the house, would not be able, from a domestic misfortune, to contribute his vote upon the question. That calculation, however, of his right honourable friend he would venture to adhere to, as he knew it to be strictly accurate. By that statute, the time allowed to the sheriffs was fifty-two days; now the only question, with regard to the time for summoning a parliament, was, whether it was forty or fifty days; this, the right honourable gentleman had well imagined, was, at the time of the dissolution of the late parliament, a subject of consideration with ministers, and from that consideration which he had given, he was ready to affirm, that it might lawfully be summoned in forty days. With regard to the argument drawn from the clause in the act of union, that fifty days were positively prescribed, as the shortest time, that clause, he said, did not apply; the object of that clause was merely local, temporary, and partial, for it related only to the kingdom of Scotland, to the members for Scotland, and to the first parliament that should meet for the united king-

* Sir Lloyd Kenyon.

doms. It enacted, that it might be lawful for her Majesty, at any time, to call the then parliament of England, and also to issue writs for the election of the Scotch members, to meet in that parliament, but that there should be fifty days allowed between the issuing of the writs and the assembling of the parliament; the usual term was thus prolonged, in order to afford leisure for the confusion, consequent on the new arrangement then taking place, to subside. Still, however, he would concede to the right honourable gentleman the difference between forty and fifty days, and take it at fifty; in this concession he lost nothing; for all he wanted was a principle, which he would find in either case, namely, that by absolute and positive statute, the very thing is allowed which the gentlemen on the other side complain against as contrary to all law, common sense, justice, or precedent—the continuation of an election or scrutiny, (for it was hard to discriminate between them) after the meeting of parliament, and consequently after the return of the writ. For if the parliament might meet in fifty days, and the election for London be deferred for fifty-two, then it was evident, that the principle was sufficiently established, as in a case of this nature two days were as strong as two hundred. He should be happy to hear any of the ingenious and learned gentlemen on the other side attempt an answer to this.

But if he should not be allowed the benefit of a *legal analogy* with this act for the city of London, by the candour of those gentlemen, he would, at least, satisfy them with a *precedent*. The case of Trentham and Vandeput was that precedent: to prove this precedent fully adequate to the case, or as an honourable gentleman* opposite to him would, perhaps, call it a *simile in point*, he would lay down an alternative—a scrutiny either is, or it is not, a part of an election. If it be a part of an election, then the election cannot be said to be finished while the scrutiny continues, and, not being finished, no members can be chosen, because the event and termination of an election must be the choice of members: in this part of the alternative the

* Mr. Adam.

right honourable gentleman had nothing to complain of, because the scrutiny not being determined, the election of course was not finished, and the election not being finished, he certainly could not have been chosen by an imperfect and unfinished election. The other part of the alternative put the right honourable gentleman into a worse situation, because it overturned the whole of his objections to the analogy between the late scrutiny for Westminster and the former one: for if he contended that a scrutiny was not a part of an election, then did the house of commons do, in that instance, exactly what they have done now; for they sent the candidates back to a scrutiny, after the day on which the writ was returnable;—a day which, though not ascertained in the writ by name, had been sufficiently identified by description, namely, the 14th day after the conclusion of the election. Now this day being thus ascertained, from the conclusion of the election, brought the two cases in spirit exactly to the same point, stripping them of that distinction which it was so much the object of the gentlemen opposite him to establish, namely, the day being expressly named in the one and only described in the other. The right honourable gentleman had shewn so great a soreness on this subject of scrutinies, that, perhaps, it might embarrass him to be asked—how it came, that he himself, within three or four weeks of the time appointed for the return of the writ, threatened to demand a scrutiny? This question, as he never wished to lead any man into an embarrassment, out of which he was not equally willing to extricate him, he would endeavour to answer in some degree; and having already presented the gentleman in the last head of his argument with two, he would here give him three divisions of that question. The right honourable gentleman, then, had one or the other of the three following objects in view: first, he either thought that the subject of the scrutiny was of so simple a nature, that he hoped to see it decided in his favour in so short a time as the remainder of that appointed for the return of the writ; and certainly, if to the right honourable gentleman, who knew so much of the business, it appeared to promise so speedy an issue, the house were not much

to blame in hoping that an end might be put to it in a period not much longer: if this was not his reason, perhaps it was, that he then believed a scrutiny might legally be carried on, after the strict exigency of the writ demanded a return; in that also the house could not be to blame: finally, if neither of these were his reasons and his intentions, they must have been this; that he was conscious that he had no right, and therefore proposed a scrutiny, in order that, that scrutiny not being completed against the return of the writ, the high bailiff must have made such a return, as, on the grounds of the scrutiny not being completed, would necessarily pave the way to a fresh election. Of these three motives, he observed, that two only were in any degree excusable; and in case of either of those two excusable motives, the house stood qualified on the principles of the right honourable gentleman himself.

With respect to those authorities, which, he said, of all others should be most earnestly sought after by the house, namely, statutes, he should say a little, because the gentlemen on the opposite side of the house had seemed to rely so much on them, in matters to which, in his opinion, they had no relation. Here he went into the argument which the attorney-general had introduced on the necessary difference which must have arisen in the conducting of elections, from the changes which had taken place in the nominal value of property, and from other circumstances which had crept in with it. From hence he argued, that the acts of Henry VI. and VIII. did not attach to the present question, inasmuch as, so far from an instance similar to the present being then in the contemplation of the legislature, the very seeds, from whence this instance sprung, had hardly been sown; for scrutinies, or the necessity of them, as they were now understood, were then not only unnecessary and absurd, but absolutely unknown and inconceivable. The right honourable gentleman had another ground of uneasiness, on the subject of the irregularity of the form by which he had been seated in that house as member for Westminster, because the precept was not originally annexed to the sheriff's writ, on its return to the crown office.

What, then, had the member for Westminster so soon forgot the concerns of the member for Kirkwall? Did he forget, that in the precept, which returned that member, there was the very same irregularity that was here complained of? But in that instance the right honourable gentleman had to blame himself and his friends alone; nor did he see any other person liable to censure on the present occasion.

He should be glad to know what was the object of the right honourable gentleman in this motion, if other than to entrap the house into a measure that would fix an indelible stain upon them, the very proposing of which was an insult, if not to their honour and integrity, at least to their understanding. Why, it must be to obliterate all recollection of the transaction, so that it should not afford a single document, to tell to the world, that it ever existed. If this was his object, he must go farther than the present motion would lead him; he must erase from their journals the petition of the electors of Westminster, unless he thought, perhaps, that the reproaches, with which it was qualified in some measure, might compensate for its poisonous tell-tale qualities; he must remove from the table that heap of unfounded and unsupported assertions, which he triumphantly alluded to, as a body of solid, substantial, and irrefragable proof; he must storm the crown office for those parchments, which he knew not how properly to describe, but as a heap of corruption and inconsistency, but which heap of corruption he himself sent there. There was one argument used by a learned gentleman who spoke early in the debate, why that resolution should be erased from the journals, for which he begged to return him his sincere thanks, because it applied with all the force it had, to the contrary side of the question. The learned gentleman said, it ought to be erased, because the house passed it in their *judicial* capacity. He congratulated the gentlemen of the bar on this new principle which was thus to be introduced into the jurisprudence of the country. What! erase a judicial resolution! A man must have a very vague idea of the law indeed, if he imagined that such a proceeding could agree with any of its principles. No. Every

decree, judgment, order, or decision of any court of justice must always remain on the records of the court, right or wrong; there it must remain on its own merits to be followed and imitated, if it were right; to be avoided, if wrong; but always to shew what the idea of the court was at the time it was made.

Great emphasis had been laid by each side of the house on two cases, which were imagined for the sake of argument, he supposed, for no man could be wild enough to suppose it possible either should ever exist in fact; one was, that by the precedent of that scrutiny, the returning officers of this kingdom had a power, on the slightest suggestion, or without any suggestion at all, to withhold their returns, or to make ineffectual returns, similar to that of the high bailiff, and thus prevent the meeting of parliament at all. On the contrary, it had been put from this side of the house, that, if they overturned the right of the officer, to whom the writ or precept was directed, to satisfy himself by a more cool investigation than could possibly be had during the poll, then that house, by a parity of argument, might be filled with such ragamuffins as should, by assembling men like themselves at the place of poll, obtain a fraudulent majority. He should not attempt a comparison between the two misfortunes, but he would only say, that of such two *extreme cases*, the last was as likely to happen as the first: and, since the gentlemen were so fond of exaggerated and extravagant cases, he could furnish them with another, which occurred to him from the expedient that had been proposed from the other side of the house, of making a double return in doubtful cases;—now by that means all the returning officers in the kingdom might, by entering into a wicked conspiracy, by all making double returns, keep the house empty. But he thought an argument, which could only be supported by such hard-strained and far-fetched imaginations as those, was scarcely worth the holding. That stood upon different grounds; it was intrenched behind the strong holds of law, of justice, and of expediency.

The right honourable gentleman had threatened the house that if it refused to comply with his motion at the present, it

would only be postponing their disgrace, for he would never rest satisfied, until by perseverance and a constant agitation of the question, he should have at last accomplished that desirable object. That period of triumph, he was happy to find the right honourable gentleman did not think at present to be near at hand, for he had left himself an interval of one, or two, or, perhaps, more years, for his successive efforts. Nor should he be surprized, if the endeavours of the right honourable gentleman should at length be crowned with success: for, together with his knowledge of his great ability, and the pertinacious industry with which that ability was sure to be supported, on every occasion that called forth his interests, his passions, or his party attachments, he was besides prepared to expect, that there might possibly be a house of commons under the influence of the right honourable gentleman, which would act on different principles, and with different views to those, which formed the motives and the objects of the present house of commons; and he should be happy to find, that, in such a contingency, he might have nothing more dangerous to complain of, than a vote of disapprobation of him and his friends. Such a house of commons had already been seen, and, perhaps, might be seen again; and he would in that case be willing to compound on the part of his country, that he alone, or even the very respectable body of his friends, which at this day formed a majority in his favour, might be the victims of the pride and ambition of the right honourable gentleman; but that the present house should ever suffer themselves to be imposed on so far, as to sign their own condemnation, on the unfounded suggestions which had given rise to that day's debate, was an event that he never could fear. For, if the plainest legal analogies, the most obvious precedents in point, the strongest convictions of reasons and of right, together with the pride of consistency, and the jealousy of incorruptible, but insulted integrity, were not of themselves sufficient to preclude every possibility of a compliance with the present motion, still there was another motive more binding on their feelings and on their justice, (though in itself not of equal importance) which there could be no doubt

would operate to confirm the house in an adherence to its former principles; this was the situation into which the high bailiff of Westminster would be betrayed by such a conduct. This man, on the credit and faith of the house, had been reduced to proceed on the scrutiny: for that proceeding he was now threatened with a penal action; and would the house, by rescinding the resolutions which had formed the basis of the high bailiff's determination to prosecute that line of conduct which had subjected him to those threats, seem, by abandoning the principles on which the whole proceeding had been founded, to prejudge a question which was to be the object of a judicial inquiry?

Here he took occasion to exult in the complexion of the present house of commons, which, notwithstanding the disadvantages that attended its constitution from the imperfect mode of its election, retained so much of the characteristic dignity of the British nation, as it had evinced in every stage of its existence. He attributed this, in a great measure, to the right honourable gentleman,* and his colleagues in office, who, by pressing forward a crisis, the most momentous and important any part of our history presented, had roused every exertion of public spirit that remained among the people, and had concentred the whole weight of those exertions in the assembly before whom he had the honour to stand. The present house of commons, with a manliness and liberality that became the representatives of a manly and a liberal people, had proceeded hitherto in the face of all those prejudices which had so long bound down and restrained the faculties of the nation, to the reform of all abuses that militated against the great end of their free constitution. He was still in hopes farther to see every local prepossession, which now stood between the empire and its true interests, vanish; and he derived a flattering presage, from the character of the house, that the great question which was nearest to his heart—that, on which the whole and only prospect of a final triumph over every obstacle to greatness and to glory depended—that alone, which could entitle Englishmen to the ap-

* Mr. Fox.

pellation of free, and that alone, which could ensure to wise, to virtuous, and to constitutional endeavours, a victory over factious ambition or corrupt venality—the great and stupendous question of a parliamentary reform, would be taken up with a degree of determined and upright boldness, that must soon be crowned with success. In that case, he could not help flattering himself, that, at the remote period to which the right honourable gentleman looked forward for the completion of his meditated triumph, he would, perhaps, find a parliament, that, like the present, should speak the sense of the people—of a people, who had, in a most specific and decided manner, already passed judgment between him and the right honourable gentleman; and he warned gentlemen, particularly those whom the right honourable gentleman had so repeatedly marked with the most insolent contempt and invective, those new members, with whom the House was crowded on the opening of the session, "men, whose faces nobody was acquainted with," how they trusted to those professions of regard and affection, those meritricious blandishments, which one successful day's good humour had drawn from the right honourable gentleman, to lure them into a dereliction of principle, a violation of law, and an undeserved self-condemnation!

An explanation afterwards from Mr. Fox, wherein he charged the assertions of the Chancellor of the Exchequer as being false in fact, and calculated solely for the purpose of rounding his periods to captivate the House, induced Mr. PITT to rise again:

He was entirely satisfied, he said, that no person in that House would believe him capable of inventing and throwing out any charge or assertion whatsoever, for the purpose of "rounding his periods." He desired the house to recollect whether the expressions he had made use of in his speech, of the House being crowded by "new members, men whose faces nobody was acquainted with," had not fallen from the right honourable gentleman; whether he had not repeatedly endeavoured to depr ciate the respectability of the house by his repeated assertions, that it had been chosen under a delusion, and that it seemed to act un-

der a similar delusion; and whether he had not repeatedly thrown out the most pointed invectives against that East India phalanx which had absorbed and swallowed up all the faculties of the executive government.—

Here he was interrupted by Mr. Fox, who again positively denied having used the expression, "That the House was filled with faces which had never been seen there before," and contradicted the charges which the right honourable gentleman had advanced.

Mr. Pitt was proceeding to enter into a more minute detail of the instances of disrespect shewn by Mr. Fox to the House, when he was called to order for alluding to what had passed in former debates; and on the Speaker's interposing and stating that such allusions were disorderly, and contrary to the rules of the House,

Mr. PITT rose once more, and assured the Speaker that he was not going to violate the established order; but that he thought it highly unbecoming in the right honourable gentleman to throw out such language as the House had just heard—language tending to fix the stigma of falsehood and dishonour on a member of that House, at a time when his general denial could not, by the orders of the House, be called into question. That for his own part, being precluded from coming to the proof of the truth of his assertions, he had only to rest satisfied, that the memory of many gentlemen in the House, and his own reputation, would do him justice. I cannot, he concluded, enter farther into the reality of what I have advanced, but I maintain it.

The question for rescinding the resolutions was negatived.

Ayes.....137
Noes.....242

April 18, 1785.

Mr. PITT, in conformity to the notice he had given, again called the attention of the House to the subject of a Reform in the representation of the people:

In entering upon this subject, he said, he was aware of the division of sentiment, and of the pertinacity with which some men adhered to opinions inimical to every species of reform. But he rose with hopes infinitely more sanguine than he ever felt before, and with hopes which he conceived to be rationally and solidly founded. There never was a moment when the minds of men were more enlightened on this interesting topic than now; there never was a moment when they were more prepared for its discussion. A great many objections which from time to time had been adduced against reform, would not lie against the propositions which he intended to submit to the house; and the question was in truth new in all its shape to the present parliament.

He was sensible of the difficulty there was now, and ever must be, in proposing a plan of reform. The number of gentlemen who were hostile to reform, were a phalanx, which ought to give alarm to any individual upon rising to suggest such a measure. Those, who, with a sort of superstitious awe, reverence the constitution so much as to be fearful of touching even its defects, had always reprobated every attempt to purify the representation. They acknowledged its inequality and corruption, but in their enthusiasm for the grand fabric, they would not suffer a reformer, with unhallowed hands, to repair the injuries which it suffered from time. Others, who, perceiving the deficiencies that had arisen from circumstances, were solicitous of their amendment yet resisted the attempt, under the argument, that when once we had presumed to touch the constitution in one point, the awe which had heretofore kept us back from the daring enterprise of innovation might abate, and there was no foreseeing to what alarming lengths we might progressively go, under the mask of reformation. Others there were, but for these he confessed he had not the same respect, who considered the present state of representation as pure and adequate to all its purposes, and perfectly consistent with the first principles of representation. The fabric of the house of commons was an ancient pile, on which they had been all taught to look with reverence and awe: from their cradles they had been accustomed to view it as a pattern

of perfection; their ancestors had enjoyed freedom and prosperity under it; and therefore an attempt to make any alterations in it would be deemed, by some enthusiastic admirers of antiquity, as impious and sacrilegious. No one reverenced the venerable fabric more than he did; but all mankind knew that the best institutions, like human bodies, carried in themselves the seeds of decay and corruption, and therefore he thought himself justifiable in proposing remedies against this corruption, which the frame of the constitution must necessarily experience in the lapse of years, if not prevented by wise and judicious regulations.

To men who argued in this manner, he did not presume to address his propositions, for such men he despaired of convincing; but he had well-grounded hopes, that in what he should offer to the house, he should be able to convince gentlemen of the former descriptions, that though they had argued so strongly against general and unexplained notions of reform, their arguments would not weigh against the precise and explicit proposition which it was his purpose to submit to them. The objection to reform, under the idea of innovation, would not hold good against his suggestion, for it was not an innovation on any known and clear principle of the constitution. Their objection to reform, because it might introduce habits of change and alteration, of which no man could foresee the extent or termination, would be equally inapplicable to his plan, for in his mind it would be complete and final. In his mind, it would comprehend all that a rational reformer would think it necessary now or at any time to do, and would therefore give no license to future or more extensive schemes. The argument, that no alteration of the number of members composing the house ought at any time to be suffered, and that no reform of the representation in what was emphatically called the corrupt parts, ought to be accomplished by an act of power, would be equally inapplicable; for, by his proposition, he meant to lay it down as a first principle, that the number of the house ought to remain the same, and that the reform of decayed boroughs ought not to proceed on disfranchisement. This, he said, was the third effort made by him since he had the honour of a seat in parliament, to prevail upon the le-

gislature to adopt a reform in the representation of the people. He had twice failed in his endeavours to effect this salutary purpose, and yet he was not discouraged from renewing them this day: he was encouraged by two circumstances which he had not in his favour on the former occasions. The reform which he now meant to propose, was more consistent with the views of the best and most moderate men; and this was a new house of commons, that had never been consulted on the subject of reform, and consequently had not, like the two last, negatived a proposition made for introducing it. Therefore, though the subject might be thought stale by the public, as it had been so frequently agitated, it was perfectly new to the house of commons which he had then the honour to address.

That gentlemen should have set themselves against general and unqualified notions of reform he did not much wonder; and that they should be still more inimical to the vague, impracticable, and inconclusive chimeras which had been thrown out at different times by different reformers, he was not astonished. Reverencing the constitution, and feeling all the pride of an Englishman on the experience of its beauty, even with all its blemishes, it was no wonder that gentlemen should be alarmed at suggestions which were founded on no principle, and which admitted of no limit. But there were certain propositions, in which he had reason to think that all men must coincide. If there were any specific means of purifying the state of representation on its first principle, without danger of altering the fabric, and without leaving it either in uncertainty or disorder, such means ought, with becoming caution, to be used. On this clear and indisputable proposition it was that he wished to go. It was because he imagined that a plan might be formed, congenial with the first principles of representation, which would reform the present inadequate state, and provide in all future times for as adequate and perfect a state of representation as they could expect to arrive at, in the present circumstances of the country. He was aware, when he spoke in this manner, that the idea of general and complete representation so as to comprehend every individual, and give him his personal

share in the legislature of the country, was a thing incompatible with the population and state of the kingdom. The practical definition of what the popular branch of our legislature was at this day, he took to be precisely this: An assembly freely elected, between whom and the mass of the people there was the closest union and most perfect sympathy. Such a house of commons it was the purpose of the constitution originally to erect, and such a house of commons it was the wish of every reformer now to establish. Those who went farther—those who went to ideas of individual representation, deluded themselves with impossibilities, and took the attention of the public from that sober, and practicable path in which they might travel safely and with ease, to launch them into an unbounded sea, where they had no pilot to direct, and no star to guide them.

Solicitous as he was of reform, he never could countenance vague and unlimited notions. It was his wish to see the house adopt a sober and practicable scheme, which should have for its basis the original principle of representation, and should produce the object which every lover of our constitution must have in view—a house of commons between whom and the people there should exist the same interest, and the most perfect sympathy and union. It was his purpose to see an arrangement made, which, while it corrected the present inadequate state of representation, should keep it adequate when made so, and should give to the constitution purity, consistency, and, if possible, immortality. Such was the sanguine idea which he entertained from his project, and such he trusted would be the sentiment of the house upon its exposition. Whatever argument might be adduced against its practicability, and what against its expediency, he trusted that the old argument of innovation would not be alleged. As he had said, it was not an innovation; and he was sure that gentlemen would agree with him in this sentiment, when they turned their eyes with him back to the earliest periods of our history, and traced the practice of our ancestors in the purest days.

He considered it on such a review, as one of the most indisputable doctrines of antiquity, that the state of representation was

to be changed with the change of circumstances. As far back as the period of the reign of Edward I. which was the first time when they could trace distinct descriptions of men in the representation, the doctrine of change was clearly understood. The counties were not uniform; the number of members was frequently varied: and from that period to the reign of Charles II. there were few reigns in which representation was not varied, and in which it did not undergo diminutions or fluctuations of some kind or other. Those changes were owing to the discretion which was left in the executive branches of the legislature, to summon or not to summon whom they pleased to parliament. The executive branch of the legislature was vested with this discretion on no other principle, than that the places, which might for the time being have such a share in the general scale of the people, as should entitle them, or rather subject them, to the duty of sending members to the representative body, might be appointed to do so. In this very discretionary power the principle of alteration was visible, and it manifested the original notion which our forefathers had of representation to be this:—That whereas it was impossible that every individual of a populous country could make choice of a representative, the task should be committed to such bodies of men as might be collected together in communities in the several districts of the kingdom: and as such communities must from their nature be fluctuating and moveable, that the crown should have the discretion of pointing out which of them were proper from their size and scale, to execute this duty for the rest. Every man must acknowledge that to have exercised this discretion otherwise than soundly, must have been a high grievance; and he needed not to say, that if it were now vested in the crown, and that ministers might fix on such places as they pleased for the choice of members, there was not a man in England who would not consider the liberties of his country as extinguished. Such discretion, however, did exist, and he mentioned it to shew, that principles in representation had been departed from, and had their existence no longer. The argument against change was an argument against the experience of every

period of our history. There had not been of late any addition to the county share in the representation, except, indeed of the palatines, of the principality of Wales, and of another addition which had been made since the period at which it was common to say that our constitution was fixed, the revolution, namely, the addition of all that part of the united kingdom called Scotland.

But in the borough representation the changes had been infinitely more common. Gentlemen had undoubtedly read, that, of the boroughs which used formerly to send members to parliament, seventy-two had been disfranchised, that was to say, that the crown had ceased to summon them at general elections to return burgesses to the house of commons. After the restoration, thirty-six of these boroughs petitioned parliament to be restored to the exercise of their ancient franchise; their prayer was granted, and to this day they continue to enjoy it. But the other thirty-six, not having presented any petition on the subject, had not recovered their lost franchise. Upon this he would be bold to say, that, considering the restoration of the former, and the continued deprivation of the latter, the spirit of the constitution had been grossly violated, if it was true, (but which he denied) that the extension to one set of boroughs of the franchise of returning members to parliament, and the resumption of it from others, was a violation of the constitution. For if the numbers could not originally have been constitutionally increased, so they could not constitutionally have been diminished. But having been once diminished, to restore them might by some be said to make an innovation; and if the parliament had any authority to restore the franchise, the principle of restoration ought to have been extended to the seventy-two boroughs, and not confined to one half of them. Here then it appeared manifest, that the whole was governed by a principle which militated directly against the modern doctrine, that to do what had been constantly done for ages, by the wisest of our ancestors, was to innovate upon the constitution. The seventy-two boroughs in question had discontinued to return members, because they had fallen into decay. Thirty-six of them afterwards recovered their franchise, when they recovered their former

wealth and population; but the other thirty-six, not having renovated their former vigour and consequence in the state, remained to this day deprived of the franchise which had been taken from them, when they lost the wealth and population, on account of which they had originally obtained it.

Why then was there a greater objection to any change in the representation of certain boroughs now, than there had been in former periods? Why were they more sacred now than the thirty-six boroughs which had been disfranchised, and which had no share at present in the representation of the country? The arguments that influenced gentlemen against any change at this time, would have equally operated against the thirty-six boroughs which had from time to time been extinguished, as well as against the same number, which, having been abolished, were from a change of their circumstances, reinstated in their privilege. In those earlier periods, such was the notion of representation, that as one borough decayed, and another arose, the one was abolished, and the other invested with the right; and alterations took place from accident or caprice, which, however, so far as they went, stood good and valid. The alterations were not made by principle; they did not arise from any fixed rule laid down and invariably pursued, but they were founded in that notion which gave the discretionary power to the crown, viz. that the principal places, and not the decayed boroughs, should be called upon to exercise the right of election.

He contended, therefore, that the same notion should now prevail, but that it should be rescued from that accident and caprice in which it had before been involved; that the alteration should be made on principle; and that they should establish this as a clear and external axiom in representation—that it should always be the same—that it should not depend upon locality or name, but upon number and condition, and that a standard should be fixed for its size. He would submit to the world which of the two was most anxious for the preservation of the original principle of the constitution, he who was for maintaining the exterior, and name of representation, when the substance was gone, or he, who pre-

ferring the substance and reality of representation to the name and exterior, was solicitous of changing its seat from one part of the country to another, as one place might flourish and another decay? It was his idea, that if they could deduce any good principles from theory, and apply them to practice, it was their duty to do so. It was then the theory, and it had been the practice, in all times, to adapt the representation to the state of the country; and this was exactly what it was his intention to recommend to the house. Now and in all future time to adapt the representation to the state of the country, was the idea of reform which he entertained.

Perhaps gentlemen would be apt to exclaim that this contradicted the declaration with which he set out, viz. that the plan which he meant to propose would be final and complete. When they came, however, to hear the whole of his idea, he trusted they would find that his proposition had in view not only an immediate reform, but that it comprehended an arrangement which must operate in all future time, and provide for the changes which in the nature of things must incessantly arise in a country like Britain. He wished to establish a permanent rule to operate like the discretion, out of which our present constitution had sprung. That discretion would be very improper to exist now, though in ruder times, it was not so dangerous, when representation was rather a burthen than a privilege, rather a duty than an object of ambition. For that discretion he was no advocate; but he wished to remind gentlemen, that that discretionary power had never been wrested from the hands of the executive branch of the legislature, and that to this day there existed but the act of union to prevent the crown from adding to or diminishing the number of that house. By the act of union, the proportionate numbers for the two parts of the kingdom were fixed, and from the date of that act, but not till that act, the discretion of the crown was at an end.

The argument of withstanding all reformation, from the fear of the ill consequences that might ensue, made gentlemen come to a sort of compromise with themselves. "We are sensible of certain defects; we feel certain inconveniencies in the present state of

representation; but fearing that we may make it worse by alteration, we will be content with it as it is." This was a sort of argument to which he could not give his countenance. If gentlemen had at all times been content with this doctrine, the nation would have lost much of that excellence of which our constitution now had to boast. Who would say but that the excellence of the constitution was the fruit of constant improvement? To prove this fact required but little illustration. It was, for instance, a first principle in our constitution, that parliament should meet as frequently as the exigencies of the state should require. This was a clear principle, but the periods were not fixed. Practice, however, had improved on this principle, and now it was established that parliament should annually meet.

Something like that which he meant now to recommend, did take place in very early periods of our history. It was remarkable that James I. a prince who mounted the throne with high ideas of prerogative, and who was not to be suspected of being too partial to the liberties of the subject, stated, in his first proclamation for calling a parliament, that the sheriffs of the counties should not direct such boroughs to send members, as were so utterly ruined as to be incapable or unintitled to contribute their share to the representation of the country. Another period of our history, which, whatever objection he might have to its general principles, had given rise to many salutary laws; he meant in the days of Cromwell: it was declared by the Protector that there should be a greater proportion of knights than of burgesses in the house of commons. He mentioned this authority (for which, as he said, he had, in the general, no great reverence, whose opposition to Charles I. began in licentiousness, and proceeded, as licentiousness always did, to tyranny) because it would shew, that whatever was his respect for the constitution of the country, his opinion evidently was, that representation should be proportioned to the people represented. Lord Clarendon, in speaking of the plan of Cromwell, had said, and it was to be found in his writings, "that it was worthy of a more warrantable authority, and of better times." From these circumstances, he thought that a doubt

could not be left on the mind, but that it always had been the principle of representation that it should change with the changes which the country might endure, and that it should not be merely governed by exterior and local considerations.

Feeling, therefore, that this was the clear principle of representation, he begged the house to remember, that he had told them, in the outset that his plan was free from the objection of altering the number of the house, and also from the objection of making any change in the boroughs by disfranchisement: his plan consisted of two parts: the one was more immediate than the other, but they were both gradual. The first was calculated to procure an early, if not an immediate change of the representation of the boroughs; and the second was intended to establish a rule, by which the representation should change with the changes of the country. It was the clear and determined opinion of every speculatist, that there should be an alteration of the present proportion between the counties and boroughs, and that, in the change, a larger proportion of members should be given for the populous places, than for places that had neither property nor people.

It was therefore his intention to submit to the house to provide, that the members of a certain number of boroughs of the last description, that is, of boroughs decayed, should be distributed among the counties. He would take the criterion, by which he should judge what boroughs were decayed, from the number of houses; and this was a mode of judgment which was not liable to error, and which he conceived to be perfectly consistent with the original principle of representation. He should propose, that these members should be transferred to the counties, beginning with those that stood in the greatest need of addition. Such a reform as this was in its nature limited; for, if once the standard for the lowest county was fixed, the proportion for all must be the same, and it would be impossible to add more for any one county than for the rest. In this view of the business, he imagined, that the house would agree with him in thinking, that there were about thirty-six boroughs so decayed, as to come within the scheme of such an operation. Seventy-two would therefore be the number

of members to be added to the counties, in such proportion as the wisdom of parliament might direct, and this number it was his intention to propose should be fixed and unalterable. The operation should be gradual, as he intended that the boroughs should be disfranchised on their own voluntary application to parliament. Gentlemen must be aware that a voluntary application to parliament was not to be expected without an adequate consideration being given to the boroughs; and he trusted that gentlemen would not start at the idea of such a consideration being provided for. A reform could only be brought about by two means—by an act of power, or by an adequate consideration which might induce bodies or individuals to part with rights which they considered as a species of valuable inheritance, or of personal property. To a reform by violence, he, and he was sensible many others, had an insurmountable objection; but he considered a reform in the representation of the people an object of such value and importance, that he did not hesitate in his own mind to propose and to recommend to the house the establishment of a fund for the purpose of purchasing the franchise of such boroughs as might be induced to accept of it under the circumstances which he had mentioned.

It might be asked what the consideration could be for such a franchise. He knew there was a sort of squeamish and maiden coyness about the house in talking on this subject; they were not very ready to talk in that house, on what, at the same time it was pretty well understood, out of doors they had no great objection to negociate, the purchase and the sale of seats. But he would fairly ask gentlemen, if these sorts of franchises were not capable of being appreciated? and whether, notwithstanding all the proud boast of its being an insult to an Englishman to ask him to sell his invaluable franchise, there were not abundance of places where, without imputing immorality to any individual, such franches might be purchased? Could it not be proved, that in this country estates so situated as to command an influence in a decayed or depopulated borough, and to have the power of returning two members to parliament, sold for more money than they would have done if situated in any other place, however lux-

urient the soil might be, however productive its harvests? Unless, indeed, its harvests could occasionally produce a couple of members, its intrinsic value was less. There were many reasons why men might be induced to surrender this franchise. In some instances, where the right of returning members was attached to the possession of an estate, and where it might be considered as an inheritance, giving to the possessor the power of doing so much good to his country, he might warrantably and honourably accept of a valuable consideration, since by the use of the equivalent, he might be equally serviceable to the community. In some instances, persons enjoyed the franchise in consequence of a life-right; and enjoying it only for their lives, interest would naturally induce them to accept of a consideration: others enjoyed it by a still more temporary tenure, merely by the circumstance of local residence; and to them therefore, it must be an opportunity which they would covet to embrace. Seeing the matter, therefore, in these points of view, he had no doubt, in his own mind, but that the boroughs to which he alluded would voluntarily surrender their franchise to parliament on such consideration being given. He should propose that the fund to be established should be divided into two parts, and that it should be stipulated that a larger sum should be given for perpetuities than for temporary rights. He had stated before, that this operation would not be immediate, at least to the full extent; for he had reason to believe that it would neither be slow nor distant.

The second part of his plan was to provide, that, after the full and final operation of the first proposition, that is, after the extinction of thirty-six boroughs, and the transfer of their members to the county representation, if there still should remain any borough so small and so decayed as to fall within the size to be fixed on by parliament, such borough should have in its power to surrender its franchise on an adequate consideration, and that the right of sending the members to parliament should be transferred to such populous and flourishing towns as might desire to enjoy the right; and that this rule should remain good, and operate in all future time, and be applied to such boroughs as, in the fluctu-

ating state of a manufacturing and commercial kingdom, might fall into decay in one part of the country, and rise into condition in another. These propositions, taken together, comprehended what he conceived to be a final and complete system, and which would ease the minds of gentlemen with respect to any future scheme of reform being attempted, or being necessary. This was not a plan of reform either fluctuating or changeable. It was not subject to the argument, that the stirring of this question would lead to endless innovations, and that when once involved in change, there was no foreseeing where we might stop: nor was it subject to the objection that it was an innovation; for he had very much failed in making his own ideas intelligible to the house, if he had not shewn them that it was a plan in every respect congenial, not only with the first principle, but with the uniform practice of the constitution. These arguments, therefore, he trusted, would not be brought against his plan. The argument whether his propositions were practicable, whether they were susceptible of an easy and early execution, he should be happy to hear and to discuss. But all the arguments that had from time to time been brought against general and unexplained notions, as they were not applicable, he trusted they would not be adduced.

He anticipated several objections, which, when the propositions came to be discussed in the detail, he should be happy to meet and to combat. The first, he supposed, would be the argument of the expense. Certainly it would always be wise and proper for that house to guard against wild and chimerical schemes and speculations, which might involve their constituents in additional burthens; but he did not believe that, in a matter so dear and important to Englishmen, they would be intimidated from embracing it by the circumstance of the cost. He conceived it to be above price: it was a thing which the people of England could not purchase too highly. Let gentlemen set the question in its proper point of view; let them oppose to the expense, however great, the probable, and indeed the almost certain, advantages to accrue from it, and then they would see how little the argument

of economy ought to weigh against the purification of the popular branch of the legislature. If there always had been a house of commons who were the faithful stewards of the interests of their country, the diligent checks on the administration of the finances, the constitutional advisers of the executive branch of the legislature, the steady and uninfluenced friends of the people, he asked, if the burthens which the constituents of that House were now doomed to endure, would have been incurred? Would the people of England have suffered the calamities to which they had lately been made subject? And feeling this great and melancholy truth, would they consider the divestment of any sum as an object, when by doing so, such a house of commons might be ascertained? He did not, therefore, think that the argument of the expense would be much insisted on, nor indeed would the expense be so great as, on the first blush of the matter, gentlemen might be apt to imagine.

Another objection that he foresaw was, that the operation would be but gradual, and its full and final accomplishment at least be distant. This, however, was not an objection that could have much weight. He did not believe that the operation would either be slow or very distant: he had stated to the house several reasons, to shew that the different descriptions of men would have an interest in accepting the conditions to be offered by parliament; and in the fluctuating state of property, and in the almost constant necessities of men, he argued, that the offer of the consideration would from time to time be irresistible. He was sanguine, perhaps, in saying, that, before next parliament, the benefit of this plan might be felt, and in the mean time, this objection of the plan being gradual, would be less regarded, from the confidence which the people of England had in their present representatives. They would wait with patience for the operation of this arrangement, from the confidence which they had in the truth and character of the present parliament. It was elected under circumstances which made it dear to Englishmen; it had not yet forfeited the confidence of the country; and he was warranted in presuming that, with such a house of commons, the constituent

body would not be eager for the immediate accomplishment of this reform.

He said, that in the proposed change of representation, and in adding seventy-two members to the counties, he forgot in the proper place to mention, that it was his wish to add to the number of the electors in those counties. There was no good reason why copyholders should not be admitted to the exercise of the franchise as well as freeholders. Their property was as secure, and, indeed, in some instances, more so than that of the freeholders; and such an accession to the body of electors would give an additional energy to representation. He conceived that the addition of seventy-two members would be as much as it would be proper to give to the proportion between county and borough. These seventy-two members would be divided between the counties and the metropolis, as nothing could be more evident than that the cities of London and Westmineter, as well as the counties, had a very inadequate share in the representation of the kingdom. To give to the counties and the metropolis a greater addition than seventy-two members, or thereabouts, would be the means of introducing disorders into the election more injurious than even its present inadequacy.

He needed not, he believed, enumerate the arguments that presented themselves to his mind in favour of a reform. Every gentleman, who had taken pains to investigate the subject, must see that it was most materially wanted. To conquer the corruption that existed in those decayed boroughs, would be acknowledged an impossible attempt. The temptations were too great for poverty to resist, and the consequence of this corruption was so visible, that some plan of reforming the boroughs had clearly become absolutely necessary. In times of calamity and distress, how truly important was it to the people of this country that the house of commons should sympathise with themselves, and that their interests should be indissoluble? It was most material that the people should have confidence in their own branch of the legislature; the force of the constitution, as well as its beauty, depended on that confidence, and on the union and sympathy which existed

between the constituent and representative. The source of our glory and the muscles of our strength were the pure character of freedom, which our constitution bore. To lessen that character, to taint it, was to take from our vitals a part of their vigour, and to lessen not only our importance, but our energy with our neighbours.

If we looked back to our history, we should find that the brightest periods of its glory and triumph were those in which the house of commons had the most complete confidence in their ministers, and the people of England the most complete confidence in the house of commons. The purity of representation was the only true and permanent source of such confidence: for though occasionally bright characters had arisen, who, in spite of the general corruption and depravity of the day in which they lived, had manifested the superior influence of integrity and virtue, and had forced both parliament and people to countenance their administration; yet it would be unwise for the people of England to leave their fate to the chance of such characters often arising, when prudence must dictate that the certain way of securing their properties and freedom was to purify the sources of representation, and to establish that strict relation between themselves and the house of commons, which it was the original idea of the constitution to create. He hoped that the plan which he had mentioned was likely to re-establish such a relation; and he recommended to gentlemen not to suffer their minds to be alarmed by unnecessary fears. Nothing was so hurtful to improvement as the fear of being carried farther than the principle on which a person set out.

It was common for gentlemen to reason with themselves, and to say that they would have no objection to go so far, and no farther, if they were sure, that, in countenancing the first step, they might not either be led themselves, or lead others farther than they intended to go. So much they were apt to say was right—so far they would go—of such a scheme they approved—but fearing that it might be carried too far, they desisted from doing even what they conceived to be proper. He deprecated this conduct, and hoped that gentlemen would come to the con-

sideration of this business, without fearing that it would lead to consequences that would either ruin or alarm us. He begged pardon for having troubled the house so long; he wished to put them in possession of all his ideas on the important subject, though he was aware, that until the matter came to be argued in the detail, it was impossible for him to foresee all the objections that might be started. He should therefore conclude for the present with moving,

"That leave be given to bring in a bill to amend the representation of the people of England in parliament."

The question was negatived,

Ayes.....174
Noes.....248

May 5, 1785.

DEBATE on Mr. Francis's motion, for appointing a committee to take into consideration the several lists and statements of the East India Company's establishments in India, that had been laid before the House during the present year.

Mr. Fox strongly supported the motion, and expressed much surprise at seeing any opposition offered to it. Whilst he was proceeding in some severe remarks upon the delusive statement of the East India Directors, which he asserted was of a piece with the whole conduct of those in office, Mr. Pitt and the Master of the Rolls were observed to laugh: upon which Mr. Fox said, with considerable warmth, "he saw he was treated with personal indecency by the right honourable gentleman, and by another honourable gentleman, whose indecency was a matter of mere indifference to him. He disregarded the incivility of such conduct, and held it in contempt. It was sufficient for him to be convinced he was completely in the right on the question of finance discussed the other day.* So convinced was he of this, that he would risk his reputation on the two statements; and he thanked God a time would come when they would have an opportunity of knowing who was in the right, and who was in the wrong in that matter, in like manner as

* On the 29th of April, when Mr. Fox moved for a committee to investigate the financial statements of Mr. Pitt; which motion was rejected by the House.

they had that day had an opportunity of detecting the fallacies and falsehoods of the former estimates of the directors of the East India Company."

Mr. PITT rose, and began his speech by replying to that part of Mr. Fox's, in which he had complained of being treated with indecency. He observed, that, considering the extreme decorum which at all times distinguished the arguments of the right honourable gentleman, considering the coolness and moderation of his language, together with the measured propriety of his manner, he had certainly a very substantial ground of complaint, if any thing like disrespect and indecency were offered to him. For his own part, as it was far from his intention to be guilty of such a breach of good breeding, he was ready to do on that occasion what he had seldom done before, and what he believed he should seldom do in future, namely, to make him an apology. This he was the more willing to do, as it would afford him an opportunity of explaining to the house the nature of the alleged offence, and the cause which had given rise to it.

He had long, he said, admired the great abilities, and the surprising powers of argument and eloquence with which the right honourable gentleman was so eminently endowed; but there were also other qualifications belonging to him which had not escaped his wonder, in the general view and contemplation of his character. It was, he said, the display of some of those qualifications during his late speech that had given occasion to that conduct, for which the house had just then heard him so severely censured. The right honourable gentleman finding the present question not applicable to any of his favourite purposes, had, with his usual ingenuity, and agreeably to his usual practice, contrived to introduce another subject, better calculated to afford him an opportunity of gratifying his passions and resentments, and of giving vent to those violent and splenetic emotions to which his present situation so naturally gave birth;—a situation, in which, to the torments of baffled hope, of wounded pride, and disappointed ambition, was added the mortifying reflection, that to the improvident and intemperate use he had

made of his power and influence, while they lasted, he could alone attribute the cause of all those misfortunes to which he was used so constantly, so pathetically, but so unsuccessfully, to solicit the compassion of the house. Feeling, as he did, for the right honourable gentleman, he declared, that he should think it highly unbecoming in him to consider any of his transports, any of those extacies of a mind labouring under the aggravated load of disappointment and self-upbraiding which at present were his lot, as objects of any other emotion in his breast than that of pity, certainly not of resentment, nor even of contempt.

What the particular action or expression of countenance was, that had given such uneasiness to the right honourable gentleman, he could not well explain to the house, but he remembered that, at the time, it proceeded from no other impulse of his mind, than that of surprise at the singular adroitness with which he found a dry and insipid question of account converted into a subject for such sublime and spirited declamation, as that with which the house had just then been entertained; and he could not but think, that, considering all circumstances, there was great judgment in the change which the right honourable gentleman had made, as so much better adapted to his purposes, his talents, and his information. But though the right honourable gentleman had been so fortunate as to introduce a variety into the debate, well calculated to display the lustre of his oratorical capacity, he had unluckily hit upon a subject that in other respects did him but little credit. He wondered that the right honourable gentleman did not consider, that, in bringing back the recollection of the house to the object, on which he had some few days ago engaged their attention, he must also remind them of the event of that day's debate, and serve to imprint more lastingly on their minds the situation to which he had reduced himself by his conduct on that occasion—a situation, which, were it his case, he confessed he should himself look back to rather with humiliation and self-reproach, than with pride and exultation. But he admired the fortitude and philosophy with which the

right honourable gentleman persisted in his favourite purpose, be it what it might, even though shame and disgrace stood in his way. He drew, however, a happy omen from the warmth with which he espoused the present motion, and from the affinity which was endeavoured to be established between it and the former motion, which had been thus irregularly alluded to; wishing that the consequence attending this attack on the credit of the East-India company, might be similar to that which had already followed the several reiterated attacks on the public credit of the nation, viz. a great and rapid increase in the value of the stocks. He lamented, therefore, that the argument of this day could not be known in India as speedily as that of the former was in England, because by that means the happy effects of it would in that quarter be no longer delayed. When he considered the latitude which the right honourable gentleman had given himself in the use of his expressions, and compared it with his extraordinary sensibility to a silent and almost imperceptible relaxation of features, he was inclined to suppose that the doctrine of the right honourable gentleman was, that a silent spectator ought to endeavour, by all possible means, to avoid even a look that might give offence, while he that was speaking had a right to consider himself as absolved from all the restraints of moderation, good manners, or even common decency.

With respect to the motion before the house, he was surprised to hear from the right honourable gentleman, that he had not expected any opposition to it, until the order had been given for strangers to withdraw; for if he had listened to the arguments of a right honourable friend* of his behind him, he would have seen, that they were all founded on an idea that such an opposition was intended; and he would take upon him to say, that there never was a motion which merited an opposition more strongly than the present.

The two most obvious grounds for such a committee as was required, were either to ground on their report acharge of crimi-

* Mr. Burke.

nality against the court of directors, (and a very high degree of criminality it would be, if they should be found to have wilfully attempted to deceive the house in their statement of the resources and disbursements of the company,) or else to gratify an idle curiosity by an enquiry, which, when finished, would be wholly useless, and inapplicable to any desirable purpose. With respect to the directors being liable to any charge for an intentional mistatement to the house, that, he observed, was entirely out of the question, as the statement, which was alleged to be fallacious, was not a positive account of disbursements already made, and resources at the time in being, but of what was expected to be the amount of both, in case a circumstance, which was at the time shortly to have been looked for, should take place, namely, the conclusion of a peace. That peace having been deferred for nearly a year beyond the period when it was expected to have taken place, had of course made a material difference between the fact and the hopes of the directors, by considerably increasing their disbursements, and diminishing their resources. From hence the inaccuracy of the account, and the innocence of the directors, were perfectly reconcileable to each other; for he presumed there was no gentleman would contend, that in a speculation of so uncertain and distant a nature as the affairs of the East-India company, there could be any criminality in being unable to foresee such accidental events, as might naturally take place to derange an estimate calculated without any view or prospect of such accidents. This being the case, he must conclude, that the other motive, (that of curiosity,) was that to which the house was indebted for the present motion. Such a motive as this he would by no means give way to, when by so doing he should involve any number of gentlemen in an unnecessary and troublesome inquiry. Such a curiosity as this, if once indulged, would still continue to gain ground and to increase, and at length, perhaps, the house would be applied to, to appoint a committee to consider and make their observations on every single dispatch that should arrive from India. Indeed, if this principle of curiosity formed any part of the system of parliamentary proceedings, he remembered a time

when it might have been applied with peculiar propriety: he thought there could not have offered a more interesting, nor a more curious object of such an inquiry, than "what were the motives upon which the right honourable gentleman and his friends had framed their celebrated plan of East-India regulation last year, and what might have been the effects naturally to be expected from thence, had it been carried into execution?" When it was considered to what a surprising extent the bold and aspiring authors of that plan had endeavoured to carry it; that it embraced the whole of the executive government, the whole of the patronage, and, in short, every political function of the company, and transferred them all to the right honourable gentleman, in such a manner as to have secured to himself and his friends a power over this country, as well as over that, which should have continued to last, until, by a few more such experiments on both, they had rendered either no longer worth the holding; when it was considered that it had been complained of, that one source of the calamities of the company proceeded from the too great influence of patronage, and the abuses to which it had been made instrumental, and yet, that, to cure these abuses, that very influence from which they sprung was to be increased to such an extent, and modelled in such a manner, as to leave no hope of its not being used to much more dangerous purposes than any yet known, except from the acknowledged immaculacy of the hallowed hands in which it was to be placed: —under such circumstances, he contended, a parliamentary inquiry would have been a most interesting and beneficial experiment. He had, he said, in his hand, a list of the officers which that famous bill made removable at pleasure, a few of which he would mention to the house, in order that they might judge whether the universal opinion which that business had given rise to, of the evils likely to result from the increase of patronage, and the placing that patronage in dangerous hands, could be called, with any regard to the meaning of the word, a delusion—here he read, besides the governors and council, one place of 25,000*l.* per annum; one of 15,000, five of 10,000, five of 9,000, one of

7,500, four of 5,000, twenty-three of 3,000, and so on till he came to places of one thousand, which, he observed, were, in comparison with the others, so trifling, as hardly to be worth his mentioning.

There could, he said, be but one other motive for appointing the committee, and that was, to discover the true state of the company's affairs, in order to give them such relief as they might appear to be in need of. If this was the idea on which it was suggested, he was surprised to find in the right honourable gentleman so very forward and unusual a liberality towards the company; for, setting aside the desperate attempts which he already had alluded to, on their interests, he had, since that period, made a most violent opposition to the granting of them that relief which they applied for in the last session of parliament; and now, when they demanded no such assistance, was he desirous of imposing it upon them against their consent, though he had so recently endeavoured to withhold it from them when they thought it necessary. Upon the whole, he concluded with saying, that if he had come down to the house perfectly uninformed on the subject, he should, notwithstanding, have learned enough from what he had already heard in the course of the debate, to be able to make up his mind as to the impropriety of appointing the committee; a measure that should therefore meet his most hearty negative.

The motion was negatived,

Ayes.....45
Noes.....161

May 12, 1785.

THE House having resolved itself into a committee of the whole House on the commercial regulations proposed to be adopted between Great Britain and Ireland,

Mr. PITT opened the business by desiring that the resolution which he had formerly moved as the ground-work of the system of intercourse between the two countries, might be read:

Resolved, "That it is highly important to the general interests of the British empire that the trade between Great Britain and Ireland be encouraged and extended as much as possible; and, for that purpose, that the intercourse and commerce be finally settled and regulated, on permanent and equitable principles, for the mutual benefit of both countries."

He then said, that the attention of the committee having been engrossed for so many weeks by the propositions, he flattered himself their importance and magnitude were by this time sufficiently impressed on their minds, to render it perfectly unnecessary for him to dwell upon that part of the subject. He should therefore, after the useless manner in which so much of their time had been wasted, enter at once into the business, and state to the committee the extent and object of his plan, endeavouring to clear it from such misconceptions, and to obviate such objections, as from the various interests that it was supposed to affect, and the pains taken to alarm those interests, it had necessarily become liable to.

He desired the house to recollect, among the many important and extensive objects to which the legislature of this kingdom had for some years past directed its attention, that the affairs of Ireland, and the forming of a suitable arrangement between that kingdom and this were the most considerable. A vast deal had already been done in several preceding administrations; and though he was by no means inclined to censure the liberality of former parliaments, or former ministers, yet he could not but think, that if nothing more was to be done for Ireland, it would have been more advisable not to have done any thing at all, or at least not so much as had been done. In fact, if the British parliament were to go no farther, all that had hitherto been done was absolutely nugatory and useless; for the advantages which were by those acts put into the hands of the Irish, were such as they were unable to make use of, at least not in the degree in which it was the avowed intention of parliament that they should. And would the people and the legislature of England condescend to assume a credit for what they had never bestowed,

and lay claim to the gratitude and love of a nation to whom they had made no concessions, but such as it was impossible for her to avail herself of? His present plan, he said, was nothing more than a necessary supplement to those which had formerly been adopted, for the purpose of creating such a mutual interest as should for ever preserve inviolate, and secure the connection between the two countries: and he trusted, if it should be found to have a tendency to so very desirable an end as that if it should be found to add considerably to the general strength and splendour of the empire; if it should be found to contribute a great and obvious augmentation to the welfare of Ireland, and at the same time to maintain the interests of Great Britain in every essential point, and in some instances considerably to promote them; that in that case the opposition he should meet with would be confined within very narrow limits.

The objections which he had generally observed to be made to this plan, were such as appeared to him either to be convincing proofs of its propriety and necessity, or at least that they were capable of an easy and complete refutation. He had desired the proposed resolution to be read, in order that he might the more easily lead the committee into his sentiments with regard to the general arrangement, of which it was the foundation; and although there were several subsequent resolutions to follow it, yet they were but the detail and formality of that principle which was laid down in the former. This principle, then, he would first explain by way of comment on that resolution, and afterwards would go through the whole series of the propositions from Ireland, applying to them such alterations, restrictions, and modifications, as should still restrain them within the principle now to be adopted, and at the same time free them from the objections which those, who could not dissent from the principle, had endeavoured to raise against the mode in which it was intended to apply it.

The principle then was, "that a treaty should be concluded with Ireland, by which that country should be put on fair, equal, and impartial footing with Great Britain in point

of commerce, with respect to foreign countries and to our colonies; and as to the mutual intercourse between each other, that this equality should extend to manufactures, to importation, and to exportation, and that Ireland in return for this concession, should contribute a share towards the protection and security of the general commerce of the empire." In order to destroy the general prejudices entertained against these propositions, it would be necessary for him only to mention in what situation Ireland actually stood at that moment in point of commerce with respect to the world in general, and Great Britain in particular. Ireland could at this moment trade, with unlimited freedom, to every foreign state in Europe, supply them with her own produce and manufacture, and carry home in return the produce and manufacture of any country in Europe. She was also at liberty to supply the British colonies in the West Indies with her own commodities; and by a direct trade homeward, furnish herself with the West India goods. But this was not all. She could also, at this moment, supply the British market, by a direct trade to Britain, with the produce of the British islands; and this privilege was not of a recent date: she had enjoyed it ever since the navigation laws were framed. The only question arising now, relative to the West India commodities, was, that the Irish should in future be permitted to bring into England, circuitously through Ireland, those goods which they were at this instant at full liberty to import into this country directly from the West Indies. But not to dwell any farther on this point for the present, on which he intended hereafter to speak somewhat more at length, he observed, that the adjustment which was now to be proposed resolved itself naturally into three parts, which might be ranged under three different heads: 1st, The intercourse between the British West-India Islands and Ireland; 2nd, between Great Britain and Ireland; 3rd, exports of manufactures to foreign countries; to which might be added a 4th, which was rather political, and related to the assistance that Ireland should contribute towards the support of the navy of the empire.

With respect to the first, it had been frequently suggested in behalf of a very respectable and very useful body of men, the West-India merchants and planters, that should Ireland be permitted to supply the British market with the produce of the islands, they must necessarily run the risk of being very considerable sufferers in common with the rest of the people of England. To this suggestion he would reply, that Ireland, as he had said before, might at this moment carry in Irish bottoms the produce of the islands directly into Great Britain: she was already in possession of that liberty, and had enjoyed it ever since the passing of the navigation laws, which had put Irish ships, in that respect, on a footing with British: it was therefore only by a circuitous trade from the colonies, that any new danger could accrue to their interests. And here he felt that the apprehensions of the merchants and planters were best founded; for they feared that the Irish being once admitted to bring to England circuitously the produce of the British colonies, French sugars and other goods, the growth of islands in the West Indies not belonging to this country, might be imported into England as British. It was certainly his wish, as it was his duty, to guard against such a mischief: the British West-India planters were clearly entitled to a monopoly of the English market; and it would be but justice to secure it to them, as far as laws and regulations could give security. It was upon this principle, then, that he intended to propose certain regulations which would fully answer this end, without affecting in the smallest degree the spirit of the Irish resolutions. He proposed then in the first place, that the committee should resolve, that all the navigation laws actually in force in this kingdom, or which it should be hereafter found necessary to enact, for the preservation of the trade of Great Britain, should be in force in Ireland. Under these laws the door would be shut to the importation of foreign West-India goods, and consequently the British market would be secured for British West-India commodities, to the exclusion of those of foreign islands. In consequence of these laws it would be necessary that every Irish vessel, arriving in Ireland from the

West Indies, should be furnished with a certificate that her cargo was really the produce of a British West-India island; and that this certificate should be signed by the proper officer of such island. But it might be said, of what avail would laws be, if the execution of them should be left to those who were not most concerned in the due observance of them? He would answer, that unquestionably if laws were not duly observed and obeyed, they were of little use. But he did not conceive that entrusting the execution of laws to persons not immediately under our power, was a thing absolutely unprecedented: this country relied much upon the officers in the West-India islands, whose duty it was to sign certificates; and if they abused their power, the danger, against which these certificates were to guard, would necessarily arrive. He would not, however, trust to Irish officers for the execution of the navigation laws, but would propose an additional regulation, which, in his opinion, would satisfy the planters; and that was, that every ship from the West Indies touching in Ireland should be obliged, on entering a port in Great Britain, to produce the same original certificate which she shewed in Ireland, and which she received from the proper officer, on clearing out from the island at which she shipped her cargo. This, he flattered himself, would answer the expectations of the planters: for he did not suppose that the Irish would attempt to import into their own country the produce of a French island, with which they could not have a British certificate, and without which it could not be admitted afterwards into England.

Some gentlemen seemed to apprehend that the British merchants would be injured, if the Irish were left at liberty not only to supply the English, but also foreign markets, with West-India produce: but he did not see so much danger in the case as they did. For in the first place, it was, from a number of circumstances, highly improbable that the Irish would supply the English market to any great extent with West-India goods: probably the principal consequence of this liberty might be, that the Irish merchant would be encouraged to speculate a little more than he did at present, and bring home a greater quantity

of West-India produce than might be necessary for his own market, in hopes that a scarcity might happen in England, and then he might send in the goods he had thus laid in upon speculation. This certainly was possible, but it was barely so, and he did not conceive that it could happen frequently. It might occur oftener, that the Irish merchant would, in case of scarcity on the continent, have an opportunity of supplying foreign countries, which would otherwise be supplied from England. But though, whatever might be thus gained by the Irish, would be taken from the British merchants, yet he hoped the loss would be rated very low, when it was recollected that this sacrifice would procure lasting friendship and harmony with Ireland; it would knit together the two great limbs, the remaining great members of the British empire, and bind them fast in bonds of eternal amity. To Ireland he did not wish to make this boon trifling and insignificant: he did not indeed think it was such as would do this country essential injury; but it would nevertheless procure to Ireland substantial good; and therefore he trusted it would be given cheerfully by the one as the best proof of affection and friendship, and be received by the other as a mark of that regard and community of interests which ought to subsist between the two countries, connected as England and Ireland are by the dearest ties. This regulation, however, did not stop here; he intended to propose farther, that all ships coming from Ireland to England with West-India produce should also be furnished with cockets, and give bonds in the same manner as coasting ships in England were bound to do. If Ireland should thus enjoy the benefit of the colony trade, it was but fit the colonies should derive some benefit in return; and therefore he would propose an amendment in the second of the Irish resolutions, which allows a drawback on exportation of all the duties laid on importation into either country; and the amendment was an exception from this allowance of drawback on all spirits not the produce of the British colonies in the West Indies.

There was, besides, he observed, another branch of foreign commerce which demanded regulation, and which, in some de

gree, might be considered as allied to that of which he was speaking, and that was the trade to the East Indies. That trade, he observed, being by charter exclusively the property of the East-India company, there was no possibility of giving a share of it particularly and nominally to the Irish; on that subject, however, he was not very uneasy, as he was fully satisfied in his own mind, that, to suffer the East-India trade to remain in its present channel, was by no means a departure from the system that was now under discussion, a system of an equal and reciprocal participation of commercial benefits with Ireland. As long as the legislature of this country thought it advisable to suffer that trade to be exclusively engrossed by the company, Ireland had no better right to complain of the exclusion than one of our own out-ports, or even an individual merchant. Still, though he did not see either the practicability or the expediency of conceding to Ireland a part of our East-India trade, he thought it was fit that certain regulations affecting that country should be relaxed, in order to open a door for Ireland to proportional advantages, from which, by these regulations, she had been excluded. Thus, he would have the East-India company empowered to take in such part of their outward-bound cargo as they might find convenient, in the ports of Ireland, and also to import directly from the East Indies such part of the produce of that country as they might think proper.

He then recapitulated what he had already laid before the house, enumerating the several objections which had been taken to that part of his plan that related to the colony trade, together with the several resolutions he meant to propose, in order to overturn such objections; and then, calling the recollection of the house to the period when the principal part of the commercial concessions were made to Ireland, he desired them to recollect the serious alarm which the demands of that kingdom at that time gave rise to, and to consider whether those alarms had not been found futile and groundless, though at first taken up as loudly, and extending as widely as the present; whether, having experienced how beneficial our bounty had already been

to that country, at the same time that it had been of no prejudice to this, they ought to stop short now, at a time when so very little more would accomplish the whole, and when that little was necessary to give effect and operation to what had been done already. But he expected, that if any opposition were to be made to this measure, it might not come from a quarter which had already given so much, as to render the remainder not worth withholding, or if it were, not possible to be withheld. Above all, he hoped, that gentlemen would not oppose him on such grounds; as they must expose their own former arrangements to a great degree of censure, and involve, in their disapprobation of the present measure, a condemnation of those acts of which they themselves had already been the authors. What he meant to allude to, was the objection, that as a considerable part of his plan would necessarily depend on an adjustment of duties, drawbacks, and bounties, that adjustment was liable to so many errors, as to render it extremely uncertain and dangerous to place any dependence on the accuracy with which it could be done. In the first place, he flattered himself there was no person who would take upon himself to say that such an adjustment was absolutely impracticable, nor, for his own part, did he think it even in any great degree difficult; but whether it was difficult, or whether it was impracticable, it was a part of the system on which the noble lord in the blue ribband* had founded his former arrangement of that portion of the colony trade which, in his administration, had been given to Ireland. That concession had been made upon the same principle as the present, that of equalization between the two countries; nor could he see any reason why such an equalization could be less carried into effect upon the present than on the former occasion.

Such, he said, were the outlines of the first part of his system, and which, accompanied by the necessary safeguards and regulations, he wished the house to adopt. We had hitherto bound, he observed, the friend we ought to cherish; we had treated as an alien, instead of caressing as a partner: but, by a system

* Lord North.

thus comprehensive, unambiguous, and complete, we should remove the effect of former prejudices, and entitle ourselves not only to the zealous contributions of a generous sister, but, what was much more, to her gratitude.

That goods now prohibited, or subjected to duties amounting to a prohibition, should be admitted hereafter into each kingdom, under a duty merely sufficient to countervail the internal excise, formed the outline of the second part of the system. As other bounties which might defeat its end were by a particular provision excluded, this must be looked on as a conciliatory system, which would tend to diffuse, and thereby to increase, the wealth of both nations. To one effect only of this regulation an exception had been made; and an alarm had been spread in the northern part of this kingdom, as if the removal of the prohibition which now existed with respect to corn and grain would be highly injurious to the agriculture of Scotland: this dread, however, it was his intention to remove, by excepting corn, meal, &c. from the effects of this regulation. Beer, also, exported to Ireland, being already subject to a high duty, to countervail the internal imposition on that article in Ireland would form another exception.

He then went through the different propositions as they had been submitted to the Irish parliament, making comments and alterations as he proceeded; after which he remarked, that of the numerous petitions which had been presented to the house, the objections of the greater part were perfectly wide of what might be expected from any who had given a proper attention to the subject. They had spoken of liberties now given, and of privileges unknown before; they dwelt on the rivalship that must take place between this country and Ireland in every foreign market; but they seemed not to know that these liberties, and this rivalship, subsisted by the laws already in existence. Every inconvenience that had been stated, flowed from the system that was now established, but went not to criminate that which was now about to be formed. He had been, also, arraigned of arrogance and self-sufficiency in the prosecution of this business;

but it was not in the power of words such as these to deter him from the prosecution of his duty, to drive him to little, temporizing expedients, such as the sacrifice of a post-office or a court of admiralty. He was not, he said, one of those who thought, that if a session were passed without any thing material being done, it was a circumstance of pleasure and self-congratulation. It was his wish to place the arrangements between the two kingdoms on a basis the most durable; and in the pursuit of an end so important, he would not be deterred by clamour or misrepresentation.

Mr. Pitt then went into that part of the question which related to the apprehensions of certain persons, of being undersold, by the import of the manufactures of Ireland, in our own markets. He combated the doctrine, that Ireland, from the cheapness of labour, must necessarily be able to undersell the English manufacturer. Was it, he asked, because the rudest species of labour was somewhat cheaper in Ireland than in England, that the former therefore had the advantage of the latter? No. It did not depend on that sort of work which was required for the roughest and rudest occupations of agriculture, whether a nation was to flourish in manufacture or not; it was a habit of industry and ingenuity which were to effect it. He drew a distinction between the meaning of the words *wages* and *labour*, observing, that a man's wages might be extremely low, and yet the price of his labour very dear, provided that he did but a small quantity of work. He instanced in the example of an Englishman and an Irishman, that perhaps the latter, though receiving but five shillings per week, might really be a dearer workman to his employer than the former at eight shillings, provided the one worked hard, and the other was idle. He said also, that, besides the different degrees of the industry of the two nations, he was well informed, and sufficiently convinced, that the rate of wages, as well as of labour, was greater in Ireland than in England, in any branch of manufacture which required execution and ingenuity, instancing a gentleman, whom he described to be the first and the principal person in the cotton

business in Ireland,* who was several times in danger of losing his life, because he refused to allow his workmen a greater price than they had at Manchester. He could not help observing, that the fears and apprehensions of the manufacturers were extremely far-fetched and ill-founded; nor did it appear to him that there were such grounds for them as ought to weigh with any reasonable man. They had declared themselves to be under great anxiety and uneasiness, lest the Irish, in consequence of this arrangement, should be able to draw over all their workmen, all their trade, and all their capitals, and thus undersell them in their own markets by at least 13*l.* per cent. He desired the committee to attend to that single subject. The Irish cotton trade was to be imported into England, according to this plan, at 10*l.* and a half per cent. duty, and yet it was said, they were to undersell the English manufacturer 13*l.* per cent. These two sums amounted to 23*l.* and a half per cent. Besides this, England had hitherto imported into Ireland at a duty of 10*l.* and a half per cent. This, therefore, added to the other two sums, would amount to 34*l.* per cent.; at which disadvantage, therefore, if the manufacturers who had stated this degree of danger to the house deserved any degree of credit, they had been hitherto dealing in Ireland, so as to have almost exclusively engrossed that market, and had increased and flourished to an extent hardly to be equalled by any other branch of trade known—a thing perfectly beyond the reach of belief, and even unworthy of a single serious thought. In another branch of manufacture, he said, there was the same sort of exaggerated danger represented to the house, by a person who had given a very long and copious testimony at the bar, and that in the most collected and deliberate manner that it was possible for any man to do; [here he alluded to Mr. Wedgwood, the earthen-ware manufacturer, who gave in his testimony in writing to the clerk] and yet, from this gentleman the house could learn nothing more than that of his having wished to engross every market to which he had ever thought of sending his wares; and, although, by the by, he did

* Major Brooke.

not well know how to send them to Ireland for fear of damage, by breaking and other losses, yet he was now determined, at all hazards, and at all risks of credibility and consistency, to run into every extreme that the present prevalent agitation of men's minds could prompt them to, in order to find nothing in those propositions but certain destruction to him and his manufacture if they should pass into a law. He most earnestly entreated the house not to suffer themselves to be carried away with the idea that a poor country, merely because she enjoyed some comparative exemption from taxes, was therefore able to cope with a rich and powerful country; the fact, he was ready to contend, was by no means so: on the contrary, the smallest burthen on a poor country was to be considered, when compared with those of a rich one, by no means in a proportion to their several abilities; for if one country exceeded another in wealth, population, and established commerce, in a proportion of two to one, he was nearly convinced that that country would be able to bear near ten times the burthens that the other would be equal to. This argument he applied to Great Britain and Ireland, and illustrated it with an example from England and Scotland. There was no gentleman, he believed, who would contend, that the taxes which Scotland paid, when compared with those of England, bore any proportion to their mutual and relative resources of wealth and power; and yet he believed, that, although every man must admit, that the connection between them had been productive of great and manifest advantage to both, yet there were few would hesitate to say, that one country had been more benefited by it than the other, and that the event of that consolidation of interest which took place between the two British kingdoms, had been such as ought not to make England averse from a repetition of the experiment.

Mr. Pitt now proceeded to open that part of the plan which was entirely and exclusively favourable to this country, and which was to be the gratuity given by Ireland for whatever benefit she was to derive from the arrangement, and the compensation to England for any advantage she might give up. It hap-

pened, he said, that as this compensation bore an exact proportion to the advantages to be gained by Ireland, so was it of necessary consequence exactly commensurate to the effect of the concessions made by England; while, at the same time that it thus balanced the favour conferred and received, it over and above secured an additional advantage to each party, by considerably promoting the collective strength, prosperity, and splendor of the empire at large. This compensation was the surplus of the hereditary revenue of Ireland, after deducting 654,000*l.* for the support of her own establishments, to be applied to the naval defence of the trade and commerce of each kingdom. In order to shew the house how certainly this compensation would bear a proportion to the benefit which Ireland was to reap from the new arrangements, he would state what the hereditary revenue was. It consisted of certain duties by custom on almost every species of goods imported; an excise upon some articles of the most general consumption; and a house tax levied according to the number of hearths in each. The committee would see from hence, that this hereditary revenue would necessarily increase as soon as the new arrangement began to have effect, and in exact proportion to that effect, every article of which it was composed being so closely connected with commerce, wealth, and population. It was his idea, that the supply, whatever it might be, should be taken in provisions and stores, a mode which would be productive of equal benefit to both nations.

He should have, he said, on a future day, some remarks to make as to the regulation of patents, and the securing of copyright to their respective possessors. At present, however, he would detain the committee no further upon this part of the subject.

He then addressed the house in a most earnest manner, entreating them to consider and reflect how momentous the object before them was; that it tended to conciliate a difference between this and our sister kingdom, which, though now confined to secret repinings, to disgusts, to jealousies, and a war of interests

and of passions, might perhaps, in time, proceed to a length which he shuddered to think of, and could not venture to express; that it tended to enrich one part of the empire without impoverishing the other, while it gave strength to both; that like mercy, the favourite attribute of heaven—

> ——————— "It is twice bless'd,
> "It blesseth him that gives, and him that takes;"

that after the severe calamities under which this country had so long laboured, that after the heavy loss which she had sustained from the recent division of her dominions, there ought to be no object more impressive on the feelings of the house, than to endeavour to preserve from further dismemberment and diminution, to unite and to connect what yet remained of our reduced and shattered empire, of which Great Britain and Ireland were now the only considerable members, in the mutual bond of affection, of mutual kindness, and of reciprocity of interests. He called upon those gentlemen who had enjoyed a share at different periods in the government of Ireland, to declare, whether the time was not now passed when temporary expedients, when lenitives, calculated merely for the purpose of deadening the immediate sense of pain, without even approaching the seat of the distemper, could be administered with safety? Whether they could silence the demands which the Irish, with a loud united voice, were at this moment making, on the justice, the wisdom, and the humanity of the nation?

He apoligized for having so long troubled the house upon a subject on which they had now been already for such a length of time engaged; declaring, that among all the objects of his political life, this was, in his opinion, the most important he had ever engaged in, nor did he imagine he should ever meet another that would call forth all his public feelings, and rouse every exertion of his heart, in so forcible a manner as the present had done. A question in which, he verily believed, was involved every prospect that still remained to this country, of again lifting up her head to that height and eminence which she once possessed

amongst nations; and of giving to her commerce, her public credit, and her resources, that spring and vivacity, which she felt at the conclusion of the war before last, which were now so obviously returning, and which, he trusted, she would never be found to want, as long as liberality, public spirit, and disinterestedness, held their place in that house. He concluded with moving the first proposition.

The question of adjournment, which was moved by Lord North, was negatived,

Ayes.....155
Noes.....281

and the original resolution was then agreed to.

February 27, 1786.

Debate on the Duke of Richmond's plan for fortifying the Dock-yards.

Mr. PITT introduced the business:—

He begged leave earnestly to submit to the most serious and deliberate attention of the house, a proposition which, in his humble opinion, it behoved them to adopt previously to their forming themselves into a committee of supply; in order that it might serve as a direction to that committee in what manner to regulate that kind of vote which naturally might be expected from them at the close of the debate. Little, indeed, was his astonishment excited, when he reflected with how prejudiced a comment great numbers of the public had chosen to describe the question for discussion: because, as much within as beyond the walls of parliament, its real nature had been concealed by an insidious colouring, to give a lasting force to which all arts were put in practice.

The system of fortification had been dragged forth to public view as deserving the severest censures which could be thrown on any measure of government; and there had been attempts to excite against it, the feelings, the passions, and even the most

estimable prejudices of the nation. It was represented as novel in its principle, as unconstitutional in its tendency, by laying a foundation for the increase of the standing army, and as calculated to divert into either a useless or a dangerous channel those resources which ought rather to be applied to that great foundation of our strength, of our glory, and of our characteristic superiority over the rest of the nations of Europe—our navy. Those were in themselves substantial objections, and such as, if they did really apply to the case, ought to carry with them an insuperable authority: but he was come down prepared with such arguments as he flattered himself would appear to the house sufficient to answer, and even overturn, them all; and in order that the whole scope and object of his reasoning might be the more readily and clearly understood, he would state, at the outset, the nature of his proposition, which he had so worded as to comprehend the whole of the several principles on which, in his mind, the question was to stand. He had, on a former day, suggested, that the most regular mode for debating the subject would arise in the committee of supply, when the question would be, whether to vote the whole of the annual ordnance estimates, which would amount to about 300,000*l.* or to vote only 250,000*l.* and by such means prevent the application of the 50,000*l.* voted in a former session for the purpose of fortifications, from the object for which it had been intended, by obliging the board of ordnance to apply it to the current service of the year: and, by so doing, to put an effectual stop to the whole system. From many things, however, which had fallen from gentlemen on the other side of the house, he was induced to wish, that a different method of arguing the question should be adopted; and he accordingly devised the present mode as best calculated, in his opinion, to afford an opportunity of discussing, in their fullest extent, every principle which could possibly be involved in the proceeding, as well those in opposition to it, as those in its favour. It was also more consistent with the great importance of the subject to bring it immediately before the house, in the form of a specific resolution, recognizing a great and momentous prin-

ciple, and founding on that principle an instruction to the committee, than to send it to the committee at once, as it were incidentally and collaterally. The resolution which he proposed, before he sat down, to move to the house was,

"That it appears to this house, that to provide effectually for securing his Majesty's dock yards at Portsmouth and Plymouth, by a permanent system of fortification, founded on the most economical principles, and requiring the smallest number of troops possible to answer the purpose of such security, is an essential object for the safety of the state, intimately connected with the general defence of the kingdom, and necessary for enabling the fleet to act with full vigour and effect, for the protection of commerce, the support of our distant possessions, and the prosecution of offensive operations in any war in which the nation may hereafter be engaged."

He felt it impossible to contemplate this important question without regarding it as a portion of that momentary system which challenged, from its nature, the utmost care of all administrations whatsoever; a system, upon which rested the security and the glory of the national defence. And, in order to judge of its necessity towards that great object, he should attempt, but with much pain, to bring back the recollection of the house to the unfortunate and calamitous situation to which we were exposed in the late war, much in consequence of our want of those fortifications which it was the aim of the present question to provide. A considerable part of our fleet was confined to our ports, in order to protect our dock-yards; and thus we were obliged to do what Great Britain had never done before—to carry on a mere defensive war; a war in which, as in every other war merely defensive, we were under the necessity of wasting our resources, and impairing our strength, without any prospect of benefiting ourselves but at the loss of a great and valuable part of our possessions, and which at last was terminated by a *necessary* peace. Shame and affliction were brought upon us by the American war. Was the house ready to stand responsible to posterity for a repetition of such disgraces and

misfortunes? Were they willing to take upon themselves the hazard of transmitting to the next generation those dangers and those consequent calamities, which they had themselves so bitterly experienced? The subject of fortifications was not now for the first time to be discussed; it had been before the house during the course of the last session, and from what passed then, together with what had been done in consequence, he thought there was very little room, compatible with consistency of conduct, for that opposition which he apprehended was intended to be given to the present measure. The house, in the last session, had seemed well aware, that such an inquiry as was necessary towards forming a proper judgment on the subject, was by no means a proper one for it to go into. It had been, on all hands, agreed, that it was, in a great measure, a question of confidence, and they had, therefore, acquiesced in his proposal of sending it to the arbitration of a board of land and sea officers, to be constituted for that express purpose. That board had, of course, been appointed, and consisted of every thing that was great and respectable in the two professions; they had given the subject a higher degree of consideration and research than had ever been known on such an occasion in any other age or country. The report made by that board was in itself so direct, and so conclusive, as to the necessity of the measure, that it ought in itself completely to determine the question, should it even appear that the reasons of a collateral nature, advanced in opposition to it, were entitled to the authority which some persons seemed inclined to give them.

Concerning the questions, "whether the dock-yards could properly and effectually be defended by a naval force alone; by a military force alone; or by a naval and military force combined? or whether it was necessary that fortifications should be erected for their defence? and if so, what sort of fortifications were likely to be most effectual?" the board had answered, that neither a naval nor a military force, nor even both united, could afford a sufficient security for the nation to rely upon; but that the fortifications were absolutely necessary, and that, of all

modes of fortification, the mode suggested by the master-general of the ordnance* was the most eligible, as being the most adequate to the defence proposed, capable of being manned by the smallest force, requiring the least expense to erect, and, particularly, as affording an increasing degree of security as they were erected; insomuch as, that, if any given portion of them were completed, and the remainder unfinished, yet even that part so completed would afford a great deal of strength. Such were the characters and abilities of the officers who composed that board, that it would naturally follow as the highest degree of inconsistency, were the house, after having referred the various branches of the detail of the enquiry to the board of officers; to re-assume that duty which they had already declined, as being out of their reach, and attempt to revise and correct the report of the board. All that the house ought to attend to was the general result of the report of that board; for it was itself incapable of investigating the subject minutely, and by detail, much less was it capable of correcting or deciding on the report of the officers. In order to diminish the credit of the report, (for the credit of the persons who framed it could not be impeached,) attempts were made to prove, that the instructions given to the board of general officers were such as confined them to the necessity of coming to one certain result, by means of *data* proposed for their consideration, which were all merely hypothetical, and afforded no latitude to them for the exercise of their own judgment. But how was it possible this could have been the case, when to the two first *data* the whole board were unanimous in giving their opinions? and their opinions on those *data* were entirely conclusive on the whole of the subject, for they went (and that unanimously) to establish the necessity of fortifications. Was it credible that a board, consisting of such men, could possibly be duped by chimerical and absurd hypotheses, so absurd and so extravagant, that he recollected the honourable general† had stated them as tantamount to a *convulsion of nature?* Was it to be

* The Duke of Richmond. † General Burgoyne.

supposed that they could be so easily misled, and drawn unanimously into an opinion on a subject of such magnitude, and contrary to their own conviction? But, in fact, it was impossible to impute any such delusion in the present instance, for the answer to the first *datum* was absolutely unqualified and positive, and recognized the necessity of fortifying the dock-yards; the second enforced the same necessity, it is true, with a proviso;—but of what? the expense of their erection, and our ability to furnish a force to man them. It was not fair to argue that the whole result of the report was founded upon *data* in themselves improbable and ill-grounded, when, in truth, the principal *data* by which the several parts of the report had weight, were not the original *data* referred to the board, but such as they thought necessary to substitute and adopt, as a foundation for their ultimate opinions. This idea was in itself so absurd, that from the very words in which it had been expressed, and which he had before repeated, it appeared as if the gentlemen who had used them were in collusion with the house, and endeavouring to put their own opposition into the most ridiculous point of view. He should think it an insult to the officers concerned in the report, if he thought of saying any thing more in answer to a suggestion so much to their dishonour, as that they had been so egregiously and so palpably duped by an article so shallow, and of course so easily detected.

Some reliance had been placed, in former conversations, upon the dissent of certain members of the board, with respect to their opinion, touching particular parts of the subject. The instances of dissent, however, were not many, and they were such as he flattered himself could not stand as an insuperable objection to the general result. He felt himself rather in a disagreeable situation, at being obliged, in arguing the subject before the house, to attack the opinion and authority of any individual member of the board; but with respect to one* of the two very respectable land officers, who had in any instance dissented from the

* General Burgoyne.

rest, his uneasiness was the less poignant, because the honourable general was on the spot to explain and support his own judgment; though even still he felt for the honourable general, who, he knew, would not think himself at liberty to enter so deeply into several of the more delicate parts of the question, as, perhaps, were his own justification alone concerned, he might wish to do. With respect to the other officer,* his feelings were more distressing, because he was obliged to canvass his opinion in his absence. Those two officers had joined with the rest of the board in their two first unanimous opinions, with respect to the necessity of fortifications towards the defence of the dock yards; but they afterwards, by a subsequent proposition, declared, that notwithstanding such necessity, yet they were useless, because we were not masters of a sufficient military force to man them. He begged the house for a moment to consider the conclusion which would follow from such premises; because if nothing but certain fortifications could possibly afford protection to our dock yards, and if we were unable to garrison those fortifications when erected, what must prove the consequence? Deplorable in the extreme. It must be, that we were unable to protect them at all. The nation, however, need not despond at the prospect thus, unintentionally he was convinced, presented to them by the noble earl, for whose character he had the highest veneration, and whose noble disinterestedness, together with the brilliant example which he held out to the nobility of the age, in the active service of his country, and the uniform tenour of his conduct, were sufficient to add lustre even to the rank which the noble lord already filled. They need not despond at this uncomfortable prospect; for the papers laid upon the table, in consequence of the motions made by the enemies of the measure, clearly proved, that we should by no means stand in need of a greater force for the purpose of defending those fortifications, than we could easily afford to that service.

It would appear from one of those papers, that, in the year 1779, we had about fifty-three thousand men in South Britain,

* Earl Percy.

who were constantly and uniformly increasing, until the year 1782, to upwards of seventy-one thousand. There was also another paper on the table that had been demanded by the gentlemen on the other side, which gave an account of different cantonments in which those troops had been stationed during that period; a paper which he could not think in any way material for the government of the present question, unless the right honourable gentleman* opposite was ready to undertake to prove, that, like all the other arrangements made during the course of the American war, the disposition of the army through England was the very best and wisest which human ingenuity could devise. It appeared, however, from this paper, that the number of troops stationed in such cantonments, as might be considered within reach of Portsmouth and Plymouth, was, in 1779, above sixteen thousand men, and that it had, in the year 1782, amounted, by a progressive increase, to twenty-one thousand five hundred in each case, including that most invaluable resource of national defence, the militia. Let gentlemen judge from this state of our military force, whether it would, in case of an invasion, prove difficult to furnish a sufficient garrison for the proposed works. But when it was to be considered, that our forces in Great Britain bore scarcely any proportion to those which we were obliged to distribute through our then extensive dominions, and that, from our present situation, it was not likely that any such distraction of our military power would ever again take place, it might be looked upon as able to command a force fully adequate to the maintenance of the fortifications, without in any degree derogating from the respectable defence of all our other dominions. On this part of the subject, some gentlemen had thought proper to throw into derision and ridicule the whole enquiry of the board of officers, as if they had proceeded to investigate the question of fortifications, without having any state of the probable means of supplying those fortifications with troops for their defence laid before them. But he would only desire the

* Mr. Fox.

house to turn over the names of the land officers who sat at the board, and then to say, whether there was any foundation for such a reflection. Was the Duke of Richmond—Was Sir Guy Carleton—Was Sir William Howe—Was Lord George Lenox, who commanded at one of those places—Was Earl Cornwallis, his respect for whom he should extenuate, were he to attempt to express it—Was Sir David Lindsay, who commanded in another of those places—Was Sir Charles Grey, who commanded in a third, and who, besides, served in the course of the war with the greatest brilliancy, in the remotest parts of the globe—Was General Roy, who, at the time, was quarter-master-general to the whole—Were all those gentlemen to be supposed ignorant of the general military strength of the kingdom? Or, was it to be contended, that, to enable them to form an opinion on so broad and extended a question, it was necessary that the returns of every regiment should have been laid before them? Surely gentlemen would not persist in such weak and groundless arguments!

There was, besides, in the report, another instance of disagreement in opinion: that, however, he conceived, ought not, and could not carry any very great weight; not from the person from whom the dissent came being at all deficient in authority and consideration, but from a circumstance standing on the face of the report itself. The name of an honourable officer* appeared to a dissent to the answer given by the board to the third *datum*. It was to be observed that this *datum*, together with its answer, was omitted in the report, as containing matter not safe to be made public. This consideration rendered it impossible for him, consistently with his duty, to attempt to examine it in detail, and to combat the opinion of the honourable officer upon its own ground; but yet he had a stronger argument than any other he could be master of, and that was, the opinion of the honourable officer himself, who had, six weeks before, as appeared from the minutes of the board, given, together with all the other members of the board, his opinion directly in favour of the principle which

* Captain Macbride.

that *datum* was calculated to establish. If he was mistating the honourable officer, he begged to be set right; but he believed it would be evident to any gentleman that would look at the report, that he was perfectly correct.

[Captain Macbride here interrupted Mr. Pitt.—He admitted that the statements of the right honourable gentleman were perfectly exact, but declared, that still he could not avoid embracing his former idea, that the opinion of the naval officers was fully in the teeth of the fortifications proposed at Plymouth; and for this assertion he had Admiral Barrington's authority, whom he had seen and talked with upon the subject during a part of the intermediately preceding days. The fact was, that the naval officers were not permitted to have an opinion of their own manifested.]

Mr. PITT, resuming his speech, remarked that as he had courted the corrections of others to fall upon the accidental, certainly not voluntary, errors in his statement, so it could not follow that he experienced the least concern, but rather pleasure, when he discovered the honourable gentleman corroborating, instead of refuting, his representation. The honourable officer, then, had formerly united with the rest of the board in an unanimous vote upon the subject of the third *datum*, and had afterwards, after an interval of six weeks, retracted that vote, and entered another on the minutes of the board, diametrically opposite to it. Thus each opinion had the authority of the name of the honourable officer; and if any dilemma arose in forming a judgment between them both, it became easily solved by referring to the report itself, in which it would appear, that, though each opinion was equally supported by the honourable officer, yet the casting voice between his first and second opinion was given by the whole board, by which he acted in favour of his former opinion, and of course there could be no room for the house to hesitate a moment which of the two they ought to adopt.

There was another circumstance which he thought it necessary to state under the head of the dissents from the general purport of the report, that he might answer it in order; although it did not arise out of the report itself, but had been taken up in that house for the first time by the honourable officer, when he stated

that the fortifications proposed to be erected on the lands adjacent to Whitesand bay, were directly in the teeth of the opinion of all the sea-officers. He begged the house to attend particularly to the two distinct branches into which that part of the question was divided; one of a naval, the other of a military consideration. That which more immediately demanded the judgment of the naval service was the practicability of the enemy effecting a landing at all upon the coast, together with the various circumstances of tides, winds, soundings, currents, and anchorage, which might be necessary, and the probability there was of all those concurring, so as to enable an enemy to land at all, and to remain long enough off the coast to cover and complete their debarkation; the other subject was for the discussion of the land officers singly, and had for its object the most effectual method of so fortifying the coast, as to prevent the enemy, should they effect a landing, from penetrating the country. The opinion of the sea-officers was, that, in certain circumstances, it was possible for an enemy to land; and he could only account for the objection of the honourable officer against fortifying a coast on which an enemy might (as it was admitted) land, by that gallant spirit and bravery which would at all times induce him to turn his thoughts more to the animating and brilliant prospect of attacking his enemy, than the less glorious, but still prudent, duty of providing for his own defence. In furnishing, however, the part of the country in question with forts, they ought not to confine themselves solely to the idea of an enemy's landing in Whitesand bay. They should consider whether it would be practicable for him to land in any place to the west of Plymouth; for if he could do so, then were these forts absolutely necessary for the defence of that town and its dock yards; they were the very posts which an enemy would most eagerly endeavour to occupy, because from them they would be able to bombard the dock yards. All persons who knew our coasts, and such as, to their own honour, and the glory of their country, were acquainted with the coasts of our enemies, knew also that it was absurd to think of fortifying every part of them which

could afford a landing-place for the purpose of an invasion. The consideration was, where would an invasion prove most detrimental; and, upon that spot, to erect such fortifications, that not only an invasion by sea should not become practicable, but that, if an enemy should have been able to land in another place, he might not also be able successfully to attack them there. He hoped to hear no more of Whitesand bay; for it was not the defence of that bay, it was the defence of the dock yards of Plymouth, which was intended; it was not a landing there alone which was to be prevented; it was a landing on any part of the coast which was to be defeated, at least as far as it had an attack on Plymouth for its object; and if Whitesand bay were surrounded by a wall of adamant, still Plymouth could not continue safe unless those grounds were fortified. He hoped, and believed, that he had completely done away the whole force of the dissents of the several officers to whom he had alluded; and now he should attempt to answer objections of another nature.

It had been thrown out, and much stress seemed to be laid upon the position, that the whole system of fortification was new and unprecedented in this country; but this idea he was prepared to combat in the most direct and positive manner. The system of fortification did always make a part of the general defence of England, and he would prove it by the most incontestible records of history. Even during the reign of King Henry the Eighth, there was a provision made, by statute, for fortifying certain parts of the coasts. The statute he would not take upon himself to read, because the terms in which it was couched were become obsolete, and almost unintelligible. The same policy was observed by Queen Elizabeth, and formed a considerable part of the defence provided by that great and glorious princess, against the unexpected attack of the armada. In the less prosperous reigns of the Stuart princes, the same system was occasionally continued, and again adopted by our illustrious deliverer, William the Third. During the reign of Queen Anne, at the time when the victories of the British arms were forming an era in

the history of Europe, at which England looked back with pride, and other nations with amazement, did our ancestors think it incompatible with their fame, with their liberty or their constitution, to fortify the most vulnerable parts of their coasts, as it was now proposed to do?—On the contrary, there was a resolution of the commons, not even at the desire of the crown, laying down the necessity of fortifying the dock yards against any possible invasion, and those resolutions were founded upon estimates of plans which had been made under the reign of King William. The estimates of those fortifications amounted to a sum, which, considering the difference between those days and the expensive times in which it was our misfortune to live, gave no great room for a charge of prodigality against those who had digested the present plan. The money then voted was 300,000*l.* which, when compared with the value of money at this day, would not appear as a very trifling sum. To come down to a later period, a period to which it might be supposed he was somewhat partial—the last war——the last war! would to Heaven we could call it the last war!—not indeed the last war, but the last on which Britons could reflect without either a sigh or a blush—the war of contrast with the last! the war in which the name of Britain was exalted above the highest and the proudest of nations, by successes as stupendous, and conquests as glorious, as our late miscarriages and defeats had been calamitous and disgraceful!—What was the policy of the administration of that day? That it was exactly similar with what was now recommended he would prove by one or two short extracts from the statute book. The first was from an act of 22d Geo. II. for providing fortifications for the dock yards: and the second was for a fortification for some more insignificant place (Milford, as well as he could remember) in which the very grounds of the policy now inculcated were recognized; that, by procuring adequate means for domestic defence, the nation would become more at liberty to send its fleets abroad, either for the purpose of defending her foreign settlements, or carrying the operations of offensive hostility into the center of the enemy's possessions.

Thus it might be seen, that in the very best days of this country, the system of fortification was uniformly practised and encouraged; but even in a much later period, and during the administration of the right honourable gentleman* opposite to him, the very identical plan of fortification then under discussion had been considered, and an estimate for carrying it into execution was presented to the house. He supposed that the right honourable gentleman who contended for the propriety of ministers being always ready to make up their minds on every subject which related to the force of the country, and who had himself, it appeared, made up his mind on the subject, was now ready to give his reasons for that change of opinion, which, it was to be feared, he intended on the present occasion to avow. For his own part, notwithstanding the great abilities and uncommon versatility of talents, which the right honourable gentleman was well known to possess, he apprehended that he would not be able to reconcile, to any principles of consistency, his practice of making up his mind when in administration, and unmaking it with so much facility when out of office. He should, however, expect to hear that particular circumstance fully explained, as far as so extraordinary a change of opinion in such a peculiar variety of circumstances could admit of explanation.

As to the necessity suggested as likely to ensue from this measure of augmenting the standing army, nothing could prove more void of foundation. It had been unanimously reported by the board of officers, that the plan of fortification proposed was the best calculated for the defence of the dock yards of any other which could be devised, and that it was such as was capable of defence by the smallest number of troops. Would any person, then, contend that a smaller number of troops, independent of fortifications, were able to defend a place better than a large body, assisted with the best possible fortifications? Such an idea was too absurd to be argued against; and yet, in fact, it was the only idea on which that topic of opposition could possibly be

* Mr. Fox.

maintained. Should we, in case of an invasion, trust solely to our standing army, then there would be a necessity of augmenting, to a most enormous degree, that army on which the whole safety of the kingdom was to rest. Was this the way to vindicate and secure our liberties? If we did not keep up such an army, then we should be reduced to the necessity of recurring to foreign assistance; perhaps to the protection of mercenaries, bribed by our money, and who, when we had no longer occasion for their service, would prove as ready to turn their arms against ourselves. Was it less desirable for us to be defended by the walls of Portsmouth and Plymouth, garrisoned by our own militia, than to purchase the protection of Hessian hirelings? The plan was objected to upon the ground of the expense which would attend it, and of the probability that we could not expect to be free from a war until it should be completed, and that we should derive no advantage from them at the time of the greatest necessity. As to the latter of these objections, he requested the house to recollect the words of the report upon the table, from which they would learn, that the plan of fortification proposed to be adopted, was one calculated, even in an unfinished and imperfect state, to afford great means of defence; and that every part of them, though wanting all other assistance, and standing singly by itself, would prove highly useful and of course desirable. Thus, every part would be answerable to the great object: and so far from rendering it necessary for the house to hold itself committed to a constant and periodical expense until the whole was completed, the fact would be, that every year the necessity of adding to the fortifications must diminish, because every year the dock yards would receive additional strength.

With respect to the expense attending the building of the works, he flattered himself, that his sentiments and ideas on the subject of the finances of this country, was not a backward feature in his political character—He hoped that he had not shewn himself remiss in any endeavours which could possibly tend to raise the revenue from that deplorable state to which it was re-

duced by the melancholy process of the late war. It was too well known how much his feelings were engaged, not only by the duty of his station, and by his attachment to his country, but by considerations of his own personal reputation, which was deeply committed in the question, to exert every nerve, to arm all his vigilance, and to concentre all his efforts towards that great object, by which alone we should have a prospect, by relieving their burthens, of transmitting to our posterity that ease and comfort which ourselves felt the want of—*an efficient sinking fund of the national debt*; to accomplish which was the first wish of his heart, and this, as well by every means of prudent, well regulated economy, as by a rigid collection of the revenue. But was he to be seduced by the plausible and popular name of economy—he would not call it only plausible and popular, he would rather say, the sacred name of economy—to forego the reality, and for the sake of adding a few hundred thousands more to the sinking fund, perhaps render for ever abortive the sinking fund itself? Every saving which could, consistently with the national safety, be made, he would pledge himself to make; but he would never consent to starve the public service, and to withhold those supplies without which the nation must be endangered.

The relieving by every such means as his duty would suffer him to adopt, the burthens of the people, and removing that load of debt by which she was oppressed, was the grand and ultimate end of his desire; it was the pedestal to which he would wish to raise a column which should support whatever pretensions he might have to reputation and popularity; but let it be well considered, how far the objects of necessary defence, and of public economy, could be reconciled, and let the bounds that divide them not be transgressed. Let it be well weighed, what a certain security for a lasting peace there was in a defencible and powerful situation, and how likely weakness and improvidence were to be the forerunners of war. But should a war happen, where was economy? What was become of the sinking fund? The very expenses of one year's loan would amount to more than the

whole of those fortifications which might have secured us peace, because they would have diminished, or effectually destroyed, all temptation or hope of success in an attack. In this point of view, as the means of preventing a war, he should conceive, that the first million which would be applied as the foundation for the sinking fund, might not be better applied than a million of money for the fortifications; not that a million would prove necessary, but he chose to state it as high as any other gentleman, let his talents of exaggeration be what they might, could possibly carry it.

There was also another part of the subject which ought to have the greatest weight of all, and this was, that these fortifications being calculated to afford complete security to the dock-yards, would enable our whole fleet to go on remote services, and carry on the operations of war at a distance, without endangering the materials and seeds of future navies from being liable to destruction by the invasion of an enemy. It had been insinuated, that the second *datum* in his Majesty's instructions had been used to draw forth an acquiescence from the board of officers, upon an unreasonable supposition of the fleet being absent for an improbable time. He believed there were few gentlemen could forget, that at no very distant period, even since he had the honour of a place in his Majesty's councils, the fleet had been absent for a time nearly equal to that supposed in the *datum*, upon a service which this country could not have dispensed with, without sacrificing the most brilliant success which attended us in the late war;—a success of such lustre as to spread an irradiation over the more gloomy scenes in which we had been involved. Had we been then in fear of an attack upon our coasts, which, from reasons not proper to be mentioned, we happened not to be, Gibraltar, and the renown of defending it, must have been for ever lost. But it was not only by foreign expeditions that we might lose the aid of our fleet in case of an invasion; it might so happen, that our fleet, though in the very channel, might be prevented by contrary winds, tides, or other contingencies, from arriving to the assistance and relief of the dock

yards. What would then prove the situation of this country? The enemy might, in one day, in one hour, do an irreparable injury, and give a mortal stab to the very vital principle of our national vigour; might effectually destroy the seeds of that navy from which alone we had to hope for commerce, for safety, and for reputation. On the whole, he really thought the present rather a question to be considered as connected with our naval establishment, than that of either our army or ordnance, as it was calculated to give liberty to the fleet which had hitherto been confined to our coasts, and as it were to the defence of those dock yards, without the security of which, the very existence of the navy, or even of the nation, must be no more. Were it to be asked, why the sum required for these fortifications had not been demanded for strengthening the navy, he should answer fairly, that he thought the same sum laid out upon the fleet, would by no means afford a proportional strength to what would be derived from the fortifications. The money which would prove sufficient to accomplish those works, would not build as many ships as would answer for the defence of those invaluable harbours of Portsmouth and Plymouth. There was, besides, a certain degree beyond which the navy of this country could not go; there was a certain number of ships, beyond which she could neither build nor man any more; what that line was, he could not, nor would it be proper for him to point out: yet necessarily such a line must exist in the nature of things, but there never could be any line drawn to limit the security which we ought to provide for our dock yards. What could be the reason that gentlemen on the other side of the house seemed so anxious to impede this measure? Were they bold enough to stake themselves upon a question of such awful magnitude, and to stand forward with such decided vehemence as the opponents of a measure, which parliament, thinking itself incompetent to scrutinize, had referred to the highest professional authority in the army, and in the navy; which had received the sanction of that authority; and which the ministers

of the crown, who could have no personal feelings on the subject, except such as from considerations of their own ease and advantage were adverse from it, and who could share no temptations towards it, but a strong sense of its indispensable necessity, declared themselves so much interested about, as to be unable to rest upon their pillows so long as it remained in suspense? He called upon the house to beware how they suffered themselves to be lightly drawn into a line of conduct which might involve their posterity, nay themselves, in the heaviest calamities.

He flattered himself that more arguments were scarcely necessary to prove, that the proposed system of fortifying the dock-yards was absolutely necessary for the preservation and security of the sources of our marine in case of a future war, and that the system in question had received the unanimous sanction of a board of land and sea officers, consisting of the most respectable and experienced characters in the two services; and that they had in their report pronounced the plan the best adapted to its purpose of any which could be devised, grounded on the most economical principles, and requiring the smallest number of troops. Viewing it properly, it was a naval question, and as such it ought to be considered, because while it gave security to the vital springs and sources of our marine, so far from rendering an increase of the military force of the kingdom necessary, as some gentlemen, from a laudable jealousy of the standing army, and from a natural and zealous regard for the constitution, had been led to imagine, it would actually tend to enable government to keep up a less military establishment than otherwise must be maintained. Thus circumstanced, he should rest all his hopes of support solely upon the power of his arguments to prove what he had asserted in that respect. Having read the words of two preliminary resolutions, which he remarked would prove declaratory of the opinion of the house upon the subject, (should they think fit to adopt them) and which, by being voted previous to their going into the committee of supply, would lay

a foundation for their future proceedings, and rest their votes in the committee upon a perspicuous and permanent footing, Mr. Pitt concluded with moving his first resolution as follows:

"That it appears to this house, that to provide effectually for securing his Majesty's dock-yards at Portsmouth and Plymouth, by a permanent system of fortification, founded on the most economical principles, and requiring the smallest number of troops possible to answer the purpose of such security, is an essential object for the safety of the state, ultimately connected with the general defence of the kingdom, and necessary for enabling the fleet to act with full vigour and effect, for the protection of commerce, the support of our distant possessions, and the prosecution of offensive operations in any war in which the nation may hereafter be engaged."

After a long discussion of the subject, the House came to a division;

For Mr. Pitt's motion.....169

Against it.....169

when the Speaker, by his casting vote, decided the question in the negative.

March 29, 1786.

The House having resolved itself into a Committee of the whole House, to take into consideration that part of his Majesty's speech on the 24th of January last which recommended the establishment of a fixed plan for the reduction of the National Debt,

Mr. Pitt addressed the chairman of the committee as follows:

Sir, The object I have to refer to this committee is, to consider of the means of decreasing the national debt. To attempt to recommend this purpose by any words would surely be quite superfluous: the situation of this country, loaded with an enormous debt, to pay the interest of which every nerve has been stretched, and every resource nearly drained, carries with it a stronger recommendation than any arguments I could possibly adduce. That something should be done to relieve the nation from the pressure of so heavy a load is indeed acknowledged by

all; and, I trust, that in this house there is only one feeling upon the subject. To you do the public turn their eye, justly expecting, that from the trust you hold, you will think it your duty to make the most serious efforts, in order to afford them the long-wished-for prospect of being relieved from an endless accumulation of taxes, under the burthen of which they are ready to sink. Upon the deliberation of this day do they place all their hopes of a full return of prosperity, and that public security, which will give confidence and vigour to those exertions in trade and commerce, upon which the flourishing state of this country so much depends. Yet not only the public and this house, but other nations look to the business of this day; for, by the establishment of what is now proposed, our rank will be decided among the powers of Europe. To behold this country emerging from a most unfortunate war, which added such an accumulation to sums before immense, that it was the belief of surrounding nations, and of many among ourselves, that our powers must fail us, and we should not be able to bear up under it; to behold this nation, instead of despairing at its alarming condition, looking boldly its situation in the face, and establishing upon a spirited and permanent plan the means of relieving itself from all its incumbrances, must give such an idea of our resources, and of our spirit of exertion, as will astonish the nations around us, and enable us to regain that pre-eminence to which we are on many accounts so justly entitled. The propriety and the necessity of adopting a plan for this purpose is not only universally allowed, but it is also admitted that *immediate* steps ought to be taken to make provision for this purpose. And I am persuaded, that whatever differences of opinion we may have in this house upon political points, no difference of opinion will this day be entertained that effectual provision be immediately made to reduce the debt of this nation.

The chief subject then before the house is, not whether the recommendation in his Majesty's speech should be complied with; nor even is it a matter of dispute what sum ought to be allotted for this purpose; for it seems agreed, by common consent

of all, that one million annually ought to be laid aside as the means of gradually accomplishing this desirable purpose. The great points which we have to consider are, In the first place, what measures ought to be taken to acquire a million for this purpose. Secondly, what is the way of applying it. I must here congratulate the nation upon the arrival of this wished-for day, when all despondency and gloomy fear may be laid aside, and our prospects brightened with joy and hope. With how much pleasure am I able to add, that this can be carried into effect without laying any heavy new burthens upon the people. This is beyond the hopes of almost every man, and is indeed a subject of the greatest rejoicing to every friend of this country.

In order to be acquainted with our real situation, to see what we have and what we want, I mean to state to the committee the annual income and the annual expenditure of the nation, as the ground upon which we are to proceed with regard to the object before us. This has already been done by the select committee, who were appointed for the purpose of examining into the subject, and whose reports are now upon your table. It is a matter of much satisfaction that this mode has been taken to ascertain the sums of the revenue, and the expense of the nation. You have not the word of an individual, but the report of a committee of this house, who have given an authentic, an accurate, and a clear statement of the whole. This has been long enough published to have put it in the power of every gentleman to examine it with attention, and I hope none have neglected it. It is so much better that every thing of that kind, every thing that contains so many figures, should be stated on paper, than be trusted to the memory, that it will not be necessary for me to detain the house long with that part of the subject.

The committee have very properly arranged their inquiries under two heads, taken from different periods. The first is, from Michaelmas 1784 to Michaelmas 1785; and the second, from the 5th of January 1785 to the 5th of January 1786. In the first period the annual receipt appears to be 15,379,182*l.*; in the second period, in the year ending the 5th of January 1786,

the amount is, 15,397,471*l.* There never was a report upon any subject, nor upon such a subject as this, of so much consequence to the nation. The manner, in which it has been brought up, speaks the praise of the committee much higher than I am able to do by any words I could use. The clear, the precise, the accurate mode they have observed throughout the whole; the great attention which they have paid to the object for which they were appointed, deserves the highest encomiums. The care with which they have avoided all sanguine conclusions from the premises before them can never be too much applauded. Rigorous in calculating all contingencies which might arise to baulk the hopes of the nation, and tend to disappoint their hopes of the expected surplusses; most faithful to their trust, most scrupulous with regard to the truth of their statements, shewing at once their respect for the house, their sense of the importance of the business into which they had been deputed to examine, they have proceeded to deliver in a report, which, in point of clearness, precision, just and fair deduction, stands eminently distinguished above every report I have ever seen.

The first sum they have stated as the whole revenue that has been received into the exchequer from the 5th of January 1785 to the 5th of January 1786, is 12,499,916*l.* After this, next follow two sums, which they have thought proper to deduct from this sum, which has been received into the exchequer. First are the arrears due from the East-India company, which ought to have been paid before, but had been respited to them, and amounts to 401,118*l.* The other sum, which in the same manner is deducted, is the excess of the window duties, but which, from the alteration of the assessments, will not be paid any longer. These two articles, therefore, being considered only as contingencies, are not reckoned as part of the yearly revenue. These two sums, then, amounting to about 457,200*l.* being deducted, leave a remainder of 12,042,690*l.* This sum, which has been paid into the exchequer, is considered as a part of our stated yearly income, it being, each article of it, made up by taxes which are payable every year.

The rest of the sums which they have stated as the amount of the public revenue, which is something above 3,300,000*l.*, arise from taxes, which, though payable yearly, have not yet been all received into the exchequer in such a manner as to have with them their proper vouchers; but the committee thought right to add them to the sums that had been received. Of these sums there can be little doubt or uncertainty. They are collected by the officers in different parts of the kingdom, according to assessments made and returned to them; where, therefore, these taxes have not actually been received, the assessments are taken, and a calculation made from them, with which there is the greatest human probability of their agreeing; indeed, no other method more clear and conclusive could have been suggested. Of this kind is the additional window tax, commonly known by the name of the commutation tax: this amounts to 380,000*l.* from Michaelmas 1784 to Michaelmas 1785, and 253,000*l.* from the 5th of January 1785 to the 5th of January 1786. The additional tax also upon two-wheel and four-wheel carriages, 107,000*l.* for the latter, and 59,281*l.* for the former. The added duty on male servants, 42,000*l.* for the latter period, and 26,000*l.* for the former. Farther duty on horses, waggons, and carts, 73,610*l.* to January 1786, and 56,829*l.* to Michaelmas 1785. It is impossible to say all these taxes have been received, but they have stated them in so cautious and guarded a manner, that there is little reason to doubt of their equalling, if not exceeding, the statement.

After these follow the taxes which have not been all received into the exchequer: those which were laid on in 1784 and 1785, and not having had time for their fair and full operation. The produce of those laid on in the year 1784, at Michaelmas, amounted to 103,000*l.*, and in January to 22,000*l.*; the produce of those laid on in 1785, at Michaelmas last, including the improvement of the medicine duty, amounts to 265,000*l.*, and at the 5th of January to 242,000*l.* To these is added the sum of 14,000*l.*, which is yearly paid at the excise and alienation office in part of the civil list; and also the land and malt tax, which

being yearly voted, came under this head, and amount to 2,600,000*l.* All these sums added, made together, at Michaelmas 1785, 3,365,000*l.*, which, added to the receipts for that year, viz. 11,874,000*l.*, would produce a sum of 15,379,000*l.* But, in January 1786, the whole of the sums amounted to 3,354,000*l.*, which, added to the amount of the receipts for the year, made 15,397,000*l.*, only a difference of about 20,000*l.*

This, then, is the annual income of this country, and upon the true statement of which there is every reason to rely. There is, indeed, a small difference in the two statements, the one ending at Michaelmas, and the other at January; but, although I should take the smallest, it would not make any difference in the deductions I shall draw from this subject. Indeed, it is well known to those who, from their official situations, have had an opportunity of observing, that it is some time before new taxes can fairly operate. So many evasions are at first formed, and so many frauds committed, that it generally takes some time before they can be levied to their full extent; and it is owing to this circumstance chiefly that there is a difference between the two terms.

Many of the taxes laid on in the year 1784, and almost all those in 1785, are under the description I have given: and I have the greatest reason to believe they will greatly increase in their produce, when evasions are detected, and more effectual means made use of to collect them fully; and although none of them have been actually paid into the exchequer, nor is it possible from receipt to form any judgment with regard to them, yet I am persuaded that the particular character which the committee have maintained, will appear, with regard to them, that they are stated cautiously, and within their true limits. There is one tax which I may just mention as an instance of the truth of what I have observed with regard to new taxes; that is the duty on game licenses, which has produced 20,000*l.* more since the alterations it received. There is only one error that I can perceive, and that is 4,140*l.*, which ought to be deducted from the

produce of the taxes imposed in 1785. Surely, on a subject of this kind, the sum of 4,000*l.* is not a great deal. Some of the taxes in 1785 are stated upon very sure ground, and from what has been received since January, though not received soon enough to be laid before the committee, give reason to believe they will produce more than they are rated at. Among these particularly is the shop tax, the house tax, and the servants' tax; the other taxes are stated on more uncertain grounds, such as the duty on pawnbrokers, and some others. Upon the whole, I do conceive, that we may rely upon this account as the real revenue of the country. The committee have stated every thing upon the best grounds the nature of the case admitted; and I have stated their results more for the sake of recalling them to gentlemens' minds than to add any thing new. My object is to shew that it is a fair deduction, and may be taken as the produce of the year from January 1785 to January 1786.

Whether or not we can rely upon this as an annual income, to continue at the same rate to this nation, is another question. I do think we may rely upon it so far as to look upon this annual income as a fund for an annual decrease of our debt; yet I do not look upon it as a certain income. Events may happen to swell this produce beyond the most sanguine calculation; and it may also happen that a disappointment may take place upon subjects so complicated in their nature. The trade and wealth of the nation is too fluctuating to admit that any average can be taken. A sudden disaster may blast all our hopes; and it may happen even that, without any disastrous event to this country, we may cut a poor figure for a year, or a number of years. I therefore do not take the liberty to make any other statement but what the committee have made, and would therefore read what the committee have said at the beginning of their report. For the reasoning stated by the committee, you (as much as they expect) have reason to conclude that this flourishing condition of our revenue will continue. We have nothing indeed to fear. We may lay despondent thoughts aside. Every thing depends upon the spirit of this house, and the resolution, the good

sense, and the industry of the country, to put these things out of all doubt. It was more than could be thought possible, that, within a single year, such a success would happen. But it is not confined to one year; ever since the happy æra of the restoration of the peace, this has been more or less the case. The increase was slow at first, but constant; and the happy progress of last year shews, from pleasing experience, that we have no reason to fear its being stationary, or becoming retrograde. A great part of this flourishing appearance which trade has of late put on, and the great influx into the exchequer, have been owing to the regulations that have been taken to crush clandestine trade. This was the more to be believed, as the increase of revenue chiefly appeared from the customs; and this gave room to hope that further great and essential improvements of the revenue might arise from wholesome regulations with regard to articles of illicit traffic. Driven from its strong hold of tea, it lurks in other petty trenches, from whence it may be effectually chased. Every thing that is done to effect this, is introducing a permanent source of revenue by making trade return into a regular channel. What has been done in this way cannot as yet have had its full operation, because, as great capitals were employed in this clandestine business, the occupation will subsist for a while, even although it is a losing trade. The measures taken two years ago, under the articles of tobacco and spirits, have caused the smuggling of these to subside to a great degree, and have much increased our revenue. In the article of salt the frauds are very considerable, and ought immediately to be redressed. But, with regard to wines, the frauds arise to so great, to so enormous a pitch, that, if we will take the effectual measures to repress them, all the deficiencies will be made up in what is stated as the annual progress of the revenue. If we have the means of doing this in our power, and do not make use of them, we must certainly suffer just blame. I intend, for my part, to bring forward very soon a plan for that purpose, which I mean to submit to the consideration of the house, and flatter myself, that, if it meets with their approbation, it will occasion a very great

increase to the revenue of the kingdom. After having in this manner represented every thing in the fairest light I am able, to enable you to form a just view of the whole of the real and probable sources of our national income, I shall now proceed upon the idea that this is a true statement of our revenue, which has been laid upon your table by the committee, and that we may expect (with as much certainty as can attend any thing of this kind) that we shall enjoy an increasing revenue of 15,397,000*l.* per annum.

The next subject of our discussion is, what may be the annual expenditure of the nation. This the committee have also stated, and it amounts to 14,478,000*l.* There is a great part of the particular items, of which this sum is made up, that the committee have omitted to mention, because the sums charged have been previously stated by act of parliament. This they considered as permanent expenses, and therefore distinguish them from what is fluctuating. In the former description they considered the interest of the national debt, which is 9,275,769*l.* and with the exchequer bills, make a sum of 9,532,000*l.*: this part contains also the civil list, 900,000*l.*; the charges on the aggregate fund, 64,000*l.*; and the appropriated duties, 66,500*l.*: the whole of this division is 10,554,000*l.* The other class of expenses include the different establishments for the defence of the nation; as the army, the navy, the ordnance, and the militia. There may be extraordinary charges for these purposes; but that the committee had not any thing to do with in the present estimate; they have stated the expense only that must be occasioned by a peace establishment, and this they have done on a very enlarged and liberal footing.

They have allowed for the navy, during peace, 18,000 men, which is more than ever had been kept up during any peace; and they allowed for this 1,800,000*l.* It must be observed that the committee did not go to state what ought to be the expense of our navy, but only what, after the deduction of all our expenses, would remain as a surplus; and therefore their business is to state every thing on the largest probable footing. They have

taken the army upon the same mode of reasoning; and they allow for the charge of it a sum of 1,600,000*l.*, much greater than was in the peace establishment before the last war, when we had so numerous, but distant possessions to defend: and it is extremely probable that this may be reduced, in a short time, considerably under the sum stated in the report. The ordnance, also, is stated largely: this, however, we shall be under the necessity of keeping up: it was found that we were very wanting in this respect in the beginning of the last war; and it would be very hazardous to allow ourselves to run a similar risk in any other.

The miscellaneous services are taken upon an average of some years back; but I think it is very probable that they too have been stated higher than they will be found to be: these arose chiefly from addresses of this house to the king, for particular grants, and also from the establishments of our colonies abroad, and from bills of exchange drawn by their governors upon the treasury: these services were stated at 74,000*l.* Deducting the whole of the expenditure from the annual income, there remained a surplus of 900,000*l.*

This, then, is the sum which remains to be applied to the purpose of decreasing the annual debt: but, as the fund for this purpose ought to be a million annually, I shall move, in this committee, such taxes as will produce the sum of 100,000*l.* And I am happy to say, that this may be done without laying fresh burthens upon the people. I shall move that an additional duty be laid upon spirits: they were formerly charged in what is called the wash, with seven-pence per gallon, that was afterwards decreased to five-pence; I shall now raise it to six-pence per gallon, which will produce about 70,000*l.*, without being any encouragement to smuggling. Another I mean to lay is only a modification of a tax; a duty upon the importation of two species of timber, deals and battens: I will rate this at 30,000*l.* I shall lay another upon an article of mere luxury; upon perfumery and hair powder: these I will rate at 15,000, or 20,000*l.*

So that, altogether, the sum wanted to complete the million will be made up.

After I have now stated these things to you, I must observe that, although this is stated to be the annual expenditure, some time must intervene before the expenditure can be reduced to this point. It must be attended to, that we are only just emerged from the most ruinous and expensive war in which this country was ever engaged. Many of the heavy burthens we incurred during that war, had not ended with the conclusion of it, but still continued, and must be expected some time to continue to hang upon us. Under the head of the navy, many ships that had been laid upon the stocks were to be finished. They had been built too far to allow them to go back, and to be lost to the public; and they were, besides, necessary to increase our naval strength to an equality with our powerful neighbours. This was so considerable, that, although the committee had stated the peace establishment of the navy at 1,800,000*l.*, yet the expense attending this present year was 600,000*l.* above it, though it may not, perhaps, be more than 560,000*l.* In the army also, the exceedings were much above the common run of the expense on that establishment; and this amounted to nearly 300,000*l.* This is chiefly expended in a way where justice and humanity forbid economy—to the reduced officers on half pay, and to the widows of officers; a part of the navy extraordinary is taken up in the same way. These two sums would go almost to annihilate the surplus, if it was to be applied to these purposes within the year. But in truth and fact they are not annual charges, they are only the remaining sums of the expenses of last war, and must cease altogether in a few years. It would, therefore, be unfair and unwise to charge them as annual expenditures. In four years the great burthen of them, that of the ship building, will cease: nor can this be effected sooner. I conceive, therefore, that you must look to a future average to come at your expense. It appears to me that this may be done with great safety; and I have not a doubt but that resources are to be found that will justify this mode of proceeding, and be sufficient to keep every thing

well without burthening the nation. And if we judge in this manner, there can be no doubt that the expectations raised by the public will be amply satisfied.

Now, therefore, I wish to call the attention of the committee to *this* object. I am clear that we immediately appropriate this million to the payment of the debt, even although the time when we shall have this surplus free from all other expenses, cannot be exactly ascertained. I myself am persuaded, that, as I have already intimated, we have certain extraordinary resources to which we may apply to liquidate this sum, without the addition of new taxes. Let us then examine what sums they are for which we have to provide the means of payment.—This extraordinary expense chiefly arises from the navy: and it was occasioned by the very large contracts into which we had entered for the building of ships. On this account 2,400,000*l.* had been called for this year, as the extraordinary expense of the navy; but this would not continue to be required after the ships now building were completed. This would decrease each year, and would be, in every probability, reduced to a standing sum for a peace establishment in the year 1790. This expense, and the very liberal establishment of 1,800,000*l.* would enable us to possess a marine the most flourishing this country ever beheld. As the estimate for the navy stands this present year, it is 600,000*l.* above what is stated at the settled peace expense in the year 1790. But it is to be noticed, that, after two new ships have been completed, which will be in the course of this year, this extra sum will be reduced to 400,000*l.*; this, in four years, amounts to the sum of 1,600,000*l.*, and, with the additional expense of this year, to 1,800,000*l.*

With regard to the army, the expenses also had been very great, but were of a nature which also tended to diminish, in time, but which it was impossible to restrict. What this chiefly arose from was, as I mentioned before, from pensions to officers' widows, and to officers upon half pay; and this sum amounted to about 260,000*l.* Under this head of expense comes also that occasioned by bills of exchange from our colonies abroad:

these amounted to very considerable extra sums of late years. But when we recollect, that we are not now obliged to keep up the immense establishments abroad that we have been accustomed to do, we may expect these will diminish very rapidly. Our chief expense at present arises from Canada; and from the well-known prudence, honour, economy, and disinterested spirit of the gallant officer who is now appointed to that command, we have every reason to hope that a very considerable saving of expense will be produced. I need only mention his name to enforce conviction of whatever I say in his praise; the great and gallant officer I speak of is Sir Guy Carleton. Those who are acquainted with his military talents and military conduct, deservedly hold him high indeed. But from his no less acknowledged disposition to economy, from his vigilance and activity, we may say, that, whatever can be done by care and attention will be effected. And at present, even the extraordinary expense is not very considerable, as far as it has come to our knowledge; but we have reason to think that a saving may be produced on this establishment.

Another matter of expense comes properly under this head; and it is what the house have already acknowledged to be a just demand upon the justice and generosity of this nation, that is, a provision for the American sufferers. Their situation demands the most tender consideration. Nor would I chuse to mention any sum for this purpose: if it was a great one, it would raise the expectations of those unhappy people; and I would not wish to say any thing more to them than that I hope there will be a generous and liberal regard paid to their melancholy and unfortunate circumstances. Another matter of extra expense under this head, is the ordnance; but as parliament have not decided what is to be the expense of it, and have already disapproved going into large additions to this part of the national establishment, I shall not say what sum will be necessary for this purpose. All these different subjects of expense are, in a great measure, uncertain; nor is it possible at present to say, with

minute accuracy, to what particular sum they will amount: but I think a sum of 300,000*l.* is likely to be the call for those purposes, and to be provided for in the course of two or three years.

There is another matter of expense which the committee have not mentioned in their reports, and which is the subject of the king's message this day; this will be a matter before parliament. The impossibility of reducing the civil list within the sum of 900,000*l.* allowed by parliament, proceeded chiefly from that part being mortgaged for the payment of certain exchequer bills, by annual payments of 50,000*l.*, which reduced it from 900,000 to 850,000*l.* Of these exchequer bills there remains due about 180,000*l.* and there was besides, an arrear against the civil list of about 30,000*l.* more. The crown had long been embarrassed by this incumbrance; and that it may be entirely removed, I shall move, on this day se'nnight, when his Majesty's message shall be taken into consideration, for the sum of 210,000*l.*

The whole, therefore, that we are now to find the means of providing for is, the extra expenses of the navy and army, which I have stated liberally at 3,000,000*l.* This is to be accounted for in the course of four years, after which time we shall have a clear annual surplus of a million, unincumbered with any demands upon the national income. Although this sum should be funded, and ways and means found to answer the interest, it would not occasion any great burthen upon the people; but the state of this country at present is so very flourishing, that I am happy to say that it will not be necessary to burthen the people with any taxes upon this account, but certain extraordinary resources are to be found within ourselves that will abundantly answer what is here required. The committee first make mention of lotteries; which are, indeed, a resource that government can have recourse to, but which is in itself so encouraging to a spirit of gambling, that it is doubtful whether it ought to be adopted. The spirit of gambling is indeed so deeply rooted, that I am afraid it is of little consequence whether a lottery be with-

holden or not, and it is always a resource equal to 140,000*l.*; however, as it is not resolved by government whether there shall be one this year, I shall not put it to account.

The next head they mention is that of army savings, and this bears the appearance of being very considerable: and indeed a very considerable sum under this description had been paid into the exchequer; this consisted chiefly of money that had been appropriated to different services and which had not been expended. This had been very considerable in the peace following the war before the last; and from the extent of the immense grants during this war, we might expect much more. Of these sums, together with the surplus of several funds, the amount of 450,000*l.* had already been paid into the exchequer. There are besides this, immense sums in the hands of former paymasters, which, it is to be expected, we shall be able in a little time to come at. The mode, hitherto, of keeping the army accounts has been extremely open to abuse; and accordingly paymasters have taken every advantage to keep the public money in their hands. Notwithstanding this, it is to be hoped that as soon as the commissioners have time to call in the out-standing accounts, they will be enabled to collect a very great sum: this is justified as far as they have gone; but the labour is extremely great, as they have to go through no less than one hundred and eighteen regiments of foot, and as many regiments of horse and dragoons, whose accounts for non-effective men had not been examined into for twenty years together. One regiment they had gone through already had produced 22,000*l.* for the use of government; and although I cannot be so sanguine as to hope that every regiment will produce as much, yet I think I may state the total, including contracts and other articles of abuse, at the sum of 100,000*l.*

The next source mentioned by the committee, is a balance due from the East-India company for the subsistence of troops in India, and on account of victualling the navy. This amounted to 600,000*l.*; and there was a probability of its being paid in a very short time. The committee also mentioned the unclaimed

dividends in the funds, that a part of them might be applied consistently with the safety of the public creditors to the public use.

The crown lands are also a source of produce; but as it is not determined how to dispose of them, I will not mention them in the account; and that perhaps it might be thought right to apply them to the relief of the American loyalists.

The great article upon which the committee dwell, and upon which they founded their expectations of a permanent surplus, is the improvement of our revenue by proper regulations to discourage smuggling, and give room to the fair trader to reap those advantages which are due to his labours, and which must in every light add to the amount of the customs; this, both by encouraging the legal merchant, and bringing those goods to a regular entry that would have been clandestinely disposed of. The regulations which had been already made in this respect, had not had room for their full operation, and yet they have occasioned a very great addition to the revenue of the nation, and might be expected still to increase, as this increase is regular and progressive, and not the sudden effect of the suppression of our warlike operations. It is indeed not easy to be conceived, by those not conversant in those subjects, how numerous and how artful the frauds are which are daily put in practice in every subject of the national revenue. One article, that of wine, required immediate remedy; and I flatter myself with very great sums indeed from this branch. The consumption of wine in this country is not diminished, and yet it does not appear that the average of last year compared with the year 1746, is equal to it in produce of revenue, so far that it sinks below it no less than 240,000*l.* Without laying a burthen upon the country, there are many regulations to be made in the article of spirits that will increase the revenue from that branch of trade. The article of tobacco is another object that attention must be paid to: and I have no doubt that from the regulations that will be proposed in these articles, at least 300,000*l.* annually may be produced. In another session of parliament I intend also to bring about a con-

sideration of the customs, which will undoubtedly add greatly to the produce of the revenue: we shall not, however, enter upon this at present; I have stated enough to the house. Those who compare our annual sums to our annual expenditure, may here see sums equal to apply to the deficiencies without any new demands, or any new burthens upon the people. I have stated what these deficiencies may be, as matters of uncertainty; but if it be about 3,000,000*l.* the whole may be provided for without any new burthens of any sort. Why, it may be said, do I not fund this? For this good reason; that I shall not, in all probability, have occasion to raise it: even if it were funded, now there could be little hazard of its being made good.

I may now proceed to lay apart the million: but before I enter upon that part of the discussion which relates to the particular mode of applying this annual sum, it will be proper to consider the effect it will have. If this million, to be so applied, is laid out, with its growing interest, it will amount to a very great sum in a period that is not very long in the life of an individual, and but an hour in the existence of a great nation: and this will diminish the debt of this country so much as to prevent the exigencies of war from raising it to the enormous height it has hitherto done. In the period of twenty-eight years the sum of a million, annually improved, would amount to four millions per annum.

But care must be taken that this fund be not broken in upon: this has hitherto been the bane of this country: for if the original sinking fund had been properly preserved, it is easy to be proved that our debts at this moment would not have been very burthensome: this has hitherto been, in vain, endeavoured to be prevented by acts of parliament: the minister has uniformly, when it suited his convenience, gotten hold of this sum, which ought to have been regarded as most sacred. What then is the way of preventing this? The plan I mean to propose is this: that this sum be vested in certain commissions, to be by them applied quarterly to buy up stock; by this means, no sum so great will ever lie ready to be seized upon on any occasion, and

the fund will go on without interruption. Long, and very long has this country struggled under its heavy load, without any prospect of being relieved: but it may now look forward to an object upon which the existence of this country depends; it is, therefore, proper it should be fortified as much as possible against alienation. By this manner of paying 250,000*l.* quarterly into the hands of commissioners, it would make it impossible to take it by stealth; and the advantage would be too well felt ever to suffer a public act for that purpose. A minister could not have the confidence to come to this house and desire the repeal of so beneficial a law, which tended so directly to relieve the people from their burthens.

The persons who should be appointed to this commission should be of rank and distinction, to secure them from suspicion, and to give, as far as character could go, a belief of their discharging it with faithfulness. In the first place, I think it right that the respectable commoner, whoever he shall be, who fills the chair of this house, should be placed at the head of it. Parliament, in instituting a commission of so much importance towards the support of national credit and prosperity, could not more solemnly, nor more pointedly promulgate its high sense of the duty by which that commission is bound, than by appointing the first member of this house to be at the head of it. I think also, without ascribing any thing to myself, that the person who holds an office so intimately connected with finance as the chancellor of the exchequer, ought to have a place in this commission. There is another person, who, from his high rank, as well as from his virtues and reputation, I think ought to have a share in this business, and he is also, at present, a member of this house: this is the master of the rolls. The governor and the deputy-governor of the bank of England I think ought also to be of the number. Also the accountant-general of the high court of chancery, who, by virtue of his office, was already employed in the money of all suitors and wards in the funds, and increasing, by that means, the capital, by the accumulation of compound interests.

Such as these persons I shall propose to be appointed to this

trust, when the bill comes before the committee. There might be some difficulty in determining how to regulate the conduct of the commissioners in the purchase of stock; but that might, perhaps, be left to their own discretion. But, although it might be proper to leave the manner of doing this to their own prudence, it would not be so proper, by any means, to leave to them the regulation of the time when they were to purchase: this, I think, ought to be on every transfer day in the quarter, at regular periods, and in equal sums.

I am very far from ascribing any merit to myself in suggesting this scheme; but, I cannot but think myself peculiarly happy in having a task to perform so very different from any of my predecessors, and that, instead of expending the money of the public, I should have the great good fortune to be led to set about to diminish our burthens. This plan, which I have now the honour to bring forward, has long been the wish and the hope of all men; and I am proud to flatter myself that my name may be inscribed on that firm column now about to be raised to national faith and national prosperity.

I shall not detain the house longer, because I am persuaded that they must be already tired of the tedious detail upon which I have been under the necessity of entering. The time when the operation of this fund is to begin, I think should be upon the 5th of July. At that time let 250,000*l.* be paid into the hands of the commissioners for this purpose; and after that, continued quarterly: this will make 750,000*l.* to be expended during the three quarters. I shall just mention upon what I found the expectations of having a surplus this year, of 750,000*l.* after paying the current expenses of the year; by which there will appear a surplus over and above the stipulated annual one of some hundred thousand pounds.

	£.
The house had voted for seamen.....	936,000
Ordinary of navy.....	1,645,000
Extraordinary	800,000
	3,381,000

Army plantations, extraordinaries, &c.	1,966,261
Ordnance	333,000
Civil list, &c. making the sum voted	8,956,261
Exchequer bills	2,500,000
Sum not yet voted	810,824
The total of the supplies would be	£.12,477,085

The ways and means are as follow:

Land and malt-tax	2,750,000
Exchequer bills	5,500,000
Surplus of the sinking fund, in hand	582,000
Estimated produce of 1786	3,144,000
Arrears from East-India Company life annuities, &c.	1,086,000
Amount of ways and means for the current year, 1786	13,362,480
From which deduct the surplus, as above	12,477,085
Remainder, £.	885,395
From this sum deduct the three quarterly payments beginning on the 5th of July, of 250,000*l.* per quarter, for the reduction of our debts, amounting to	750,000
And there would be a neat surplus of £.	135,395
But if, as the committee stated, the revenue rise according to the latest experience, there would still be a farther difference in our favour of	313,698
Making, in this case, a clear excess, accruing at Christmas next, (above the regular surplus) of the sum of £.	449,093

I shall now move, Sir, "That a sum of one million be annually granted to certain commissioners, to be by them applied to the purchase of stocks, towards discharging the public debt of this country, which money shall arise out of the surplusses, excesses, and overplus monies, composing the fund commonly called the sinking fund."

The motion was agreed to without opposition.

February 12, 1787.

The House, pursuant to the order of the day, resolved itself into a Committee of the whole House, to consider of so much of his Majesty's speech as related to the treaty of commerce concluded with France.

Mr. Pitt then rose:

He trusted that when the house considered the magnitude of the subject, they would not only forgive him for trespassing upon their patience with an extended investigation, but would encourage him in his attempts to throw all necessary lights upon its nature, and its possible effects. Convinced that he could not enter into details without employing much time, he should on this account, avoid needlessly prolonging the hours of debate, by the introduction of any extraneous matter whatsoever. If the treaty should be found to comprehend principles hostile to the received notions and doctrines of British commerce, and that thereby a general spirit of objection and discontent had spread abroad over the country, he was assured that it would little avail him to stand up in that committee, and argue for the acceptance of a negociation, which was generally offensive. The committee would not be seduced, by any thing which he might be able to advance, from the exercise of their clear and independent judgments; and certainly they would not be bound in any degree to the confirmation of this treaty, unless, after the most deliberate and solemn discussion, they should perceive it supported by the most rational principles, and by the most incon-

trovertible policy; and so finding it, declare their sense of it, by adopting the means necessary for carrying it into effect.

On this occasion, he should not hesitate again earnestly to contend, that the treaty, in its commercial aspect, had been between four and five months before the public, and it was on that ground that he had confidence in going into the committee, and commencing its discussion. For if, after remaining between four and five months in the hands of every manufacturer and merchant in the kingdom, after being freely discussed in various publications, it should turn out that no one complaint had been heard; that no great manufacturing body of men had taken the alarm; and that nothing whatever had happened to prevent the discussion, save the petition presented upon that day, praying for time, from a few manufacturers collected in a certain chamber of commerce, he should certainly think himself justified in calling the attention of the committee to the discussion. If even that very chamber who thus presented the petition, did not at the same time state any reasons against the treaty, but leaned itself simply on the vague and unsatisfactory ground, that after four or five months they had not had time, he was sensible that gentlemen would not think it a substantial ground for delay; after the expiration of such a period of time, it appeared that all upon which they had determined was to entertain doubts, and of course, avoid bringing forward an opinion upon the subject. But another transaction had been mentioned and coupled with this, he must say, in a very singular manner—he meant the Irish propositions. Did the honourable gentleman * mean to insinuate that there was any analogy between this treaty and those propositions? Surely he did not intend to conclude from that experience, that the manufacturers were a body of men slow to apprehend their own danger, or to communicate their apprehensions to parliament; or did the honourable gentleman wish to keep the resemblance in another way? Those propositions, after being canvassed, discussed, and debated, were at length, on

* Mr. Sheridan.

the most solemn deliberation, and he thought with the most perfect wisdom, approved by the parliament of Great Britain, as a set of resolutions, salutary and political, for the basis of an intercourse. But those propositions, so evidently opposed by the manufacturers here, had in the end been rejected by another kingdom as injurious and inimical to her interests. Was this the part of the precedent which the honourable gentleman meant to select? But, in truth, there was no similarity. The manufacturers, who were in general not a little watchful of their interests, and he rejoiced that they were vigilant, had taken no alarm. The woollen trade, so properly dear to this country, had manifested no species of apprehension. The manufacturers of cambries, of glass, the distillery, and other members and branches of our domestic trade, though, in fact, particularly affected by the treaty, had made no complaint, much less had they received any notices from the manufacturers, from the hardware, the pottery, and other branches, of any objection.

If after four or five months nothing like an objection had been heard; and if at the same time gentlemen were sensible, that in many parts of the country, many descriptions of men were now eagerly looking forward for the completion of the business, forming exclusive speculations on the foot of it, and all waiting in readiness and anxiety to avail themselves of the benefits, and with themselves greatly to benefit their country, he begged of gentlemen not to think that they rashly entered into the consideration of the subject. Under these circumstances, therefore, he felt himself justified in declaring, that a reference to the case of the Irish propositions, made more for his arguments, and against his opponents, than was perhaps suspected. While the propositions were agitating, and they were not surely more injurious than gentlemen would represent this treaty to be, the manufacturers of the kingdom came forward to parliament; and at a time when they experienced every attention and indulgence from the house, exhibited themselves the most incontrovertible, and indeed, laudable proof, that, while they fancied themselves endangered, or saw their interests at stake, they possessed the

most unremitting vigilance in watching over their concerns, and at least a sufficient degree of firmness in maintaining their objections. There was not a body which thought itself concerned but instantly took alarm, and joined in the general remonstrances. Was it not fair then to conclude, that if any such apprehensions at present existed, instead of supineness and negligence, they would apply to parliament again with redoubled earnestness; but, so far were the public from entertaining any dislike, or even doubts, concerning the merits of this treaty, that from the very best information, he could assert, in the presence of many of the members from great commercial towns, that in most parts of the country they looked with sanguine wishes for the speedy ratification of it. Great and various were the objects of this treaty, but the resolutions which he should have the honour to propose that evening, would lie in a narrow compass, and be easily embraced. It was not his intention to draw the committee to any general resolution which should involve the measures necessary to be taken in future, nor need gentlemen be alarmed by the groundless idea of being committed by one question to all the important details necessary to the full establisment of the system. Several observations had been made respecting the navigation laws and maritime regulations, upon which, as they did not come within the scope of his motion to the committee, and more properly belonged to the prerogative and the executive government, he would forbear offering any remarks. He meant only to submit to them certain leading resolutions, tending merely to the commercial establishment, and they were founded on the 6th and 11th articles of the treaty. The result of the resolutions was precisely this:

1. That the committee should agree, that all articles not enumerated and specified in the tariff should be importable into this country, on terms as favourable as those of the most countenanced nation, excepting always the power of preferring Portugal, under the provisions of the Methuen treaty.

2. That if any future treaty should be made with any other foreign power, in any articles either mentioned or not mentioned

in the present treaty, France shall be put on the same, or on as favourable terms as that power. And

3. That all the articles enumerated and specified in the tariff shall be admitted into this country on the duties, and with the stipulations stated in the sixth article.

He thus confined himself to the commercial part of the treaty; nor was even all, which belonged to that part, comprehended in the scope of these resolutions. It would be necessary for the committee to take into their consideration the relative state of the two kingdoms. On the first blush of the matter, he believed he might venture to assert it, as a fact generally admitted, that France had the advantage in the gift of soil and climate, and in the amount of her natural produce, that, on the contrary, Great Britain was, on her part, as confessedly superior in her manufactures and artificial productions. Undoubtedly, in point of natural produce, France had greatly the advantage in this treaty. Her wines, brandies, oils, and vinegars, particularly the two former articles, were matters of such important value in her produce, as greatly and completely to destroy all idea of reciprocity as to natural produce—we perhaps having nothing of that kind to put in competition, but simply the article of beer. But, on the contrary, was it not a fact as demonstrably clear, that Britain, in its turn, possessed some manufactures exclusively her own, and that in others she had so completely the advantage of her neighbour, as to put competition to defiance? This then was the relative condition, and this the precise ground, on which it was imagined that a valuable correspondence and connection between the two might be established. Having each its own and distinct staple—having each that which the other wanted; and not clashing in the great and leading lines of their respective riches, they were like two great traders in different branches, they might enter into a traffic which would prove mutually beneficial to them. Granting that a large quantity of their natural produce would be brought into this country, would any man say, that we should not send more cottons by the direct course now settled, than by the circuitous passages formerly used—more of our woollens, than while re-

stricted in their importation to particular ports, and burthened under heavy duties? Would not more of our earthen ware, and other articles, which, under all the disadvantages that they formerly suffered, still, from their intrinsic superiority, force their way regularly into France, now be sent hither? and would not the aggregate of our manufactures be greatly and eminently benefited in going to this market loaded only with duties from twelve to ten, and in one instance with only five per cent.? If the advantages in this respect were not so palpable and apparent as to strike and satisfy every mind interested in the business, would not the house have had very different petitions on their table than that presented this day? The fact was apparent. The article (sadlery) charged the most highly in the tariff, gave no sort of alarm. The traders in this article, though charged with a duty of fifteen per cent. knew their superiority so well, that they cheerfully embraced the condition, and conceived that the liberty would be highly advantageous to them. A market of so many millions of people—a market so near and prompt—a market of expeditious and certain return—of necessary and extensive consumption, thus added to the manufactures and commerce of Britain, was an object which we ought to look up to with eager and satisfied ambition. To procure this, we certainly ought not to scruple to give liberal conditions. We ought not to hesitate, because this which must be so greatly advantageous to us must also have its benefit for them. It was a great boon procured on easy terms, and as such we ought to view it. It was not merely a consoling, but an exhilarating speculation to the mind of an Englishman, that, after the empire had been engaged in a competition the most arduous and imminent of any that ever threatened a nation—after struggling for its existence, still it maintained its rank and efficacy so firmly, that France, finding they could not shake her, now opened its arms, and offered a beneficial connection with her on easy, liberal, and advantageous terms.

We had agreed by this treaty to take from France, on small duties, the luxuries of her soil, which, however, the refinements, of ourselves had converted into necessaries. The wines of France

were already so much in the possession of our markets, that, with all the high duties paid by us, they found their way to our tables. Was it then a serious injury to admit these luxuries on easier terms? The admission of them would not supplant the wines of Portugal, nor of Spain, but would supplant only an useless and pernicious manufacture in this country. He stated the enormous increase of the import of French wines lately, and instanced the months of July and August, the two most unlikely months in the year, to shew the increase of this trade. The committee would not then perceive any great evil in admitting this article on easy terms. The next was brandy, and here it would be inquired whether the diminution of duty was an eligible measure. He believed they would also agree with him on this article, when they viewed it with regard to smuggling. The reduction of the duties would have a material effect on the contraband in this article: it was certain that the legal importation bore no proportion to the quantity clandestinely imported; for the legal importation of brandy was no more than 600,000 gallons, and the supposed amount of the smuggled, at the most rational and best-founded estimate, was between three and four hundred thousand gallons. Seeing then that this article had taken such complete possession of the taste of the nation, it might be right to procure to the state a greater advantage from the article than heretofore, and to crush the contraband by legalizing the market.

The oil and vinegar of France were comparatively small objects, but, like the former, they were luxuries which had taken the shape of necessaries, and which we could suffer nothing from accepting on easy terms. These were the natural produce of France to be admitted under this treaty. Their next enquiry should be to see if France had any manufactures peculiar to herself, or in which she so greatly excelled as to give us alarm on account of the treaty, viewing it in that aspect. Cambric was the first which stared him in the face, but which, when he looked around him, and observed the general countenance of the committee, he could hardly think it necessary to detain them a moment

upon. The fact was, it was an article in which our competition with France had ceased, and there was no injury in granting an easy importation to that which we would have at any rate. In no other article was there any thing very formidable in the rivalry of France. Glass would not be imported to any amount. In particular kinds of lace, indeed, they might have the advantage, but none which they would not enjoy independent of the treaty; and the clamours about millinery were vague and unmeaning, when, in addition to all these benefits, we included the richness of the country with which we were to trade: with its superior population of twenty millions to eight, and of course a proportionate consumption, together with its vicinity to us, and the advantages of quick and regular returns, who could hesitate for a moment to applaud the system, and look forward with ardour and impatience to its speedy ratification? The possession of so extensive and safe a market must improve our commerce, while the duties transferred from the hands of smugglers to their proper channel would benefit our revenue—the two sources of British opulence and British power.

Viewing the relative circumstances of the two countries then in this way, he saw no objection to the principle of the exchange of their respective commodities. He saw no objection to this, because he perceived and felt that our superiority in the tariff was manifest. The excellence of our manufactures was unrivalled, and in the operation must give the balance to England. But it was said, that the manufacturers dreaded the continuance of this superiority. They were alarmed at the idea of a competition with Ireland, and consequently they must be more under apprehensions at the idea of a rivalry with France. He always did think, and he must still continue to think, that the opinions of the manufacturers on this point were erroneous. They raised the clamour in respect to Ireland chiefly, he imagined, because they perceived no certain and positive advantage by the intercourse to counterbalance this precarious and uncertain evil. In this instance, their consent to the treaty did not proceed from a blind acquiescence, for they never would be blind to their inte-

rest; but now that they saw so certain and so valuable an advantage to be reaped, the benefits being no longer doubtful, they were willing to hazard the probability of the injury.

Some gentlemen thought proper to contend, that no beneficial treaty could be formed between this country and France, because no such treaty had ever been formed, and because, on the contrary, commercial intercourses with her had always been injurious to England. This reasoning was completely fallacious, though it sounded largely. For, in the first place, we had not, during a very long series of years, experienced any commercial connection with France, and could not therefore form a rational estimate of its merits; and secondly, though it might be true that a commercial intercourse founded on the treaty of Utrecht would have been injurious, it did not follow that this would prove the same; for at that time the manufactures, in which we now excelled, had hardly existence, but were on the side of France instead of being against her. The tariff did not then, as now, comprehend all the articles in which we comparatively excelled, but in addition to the produce of France, which at all periods must be the same, she had the balance of manufactures also in her favour. At that period also the prejudices of our manufacturers against France were in their rage, and corresponded with the party violence of the day in the reprobation of the measure; but so far was the parliament from entertaining the opinion of no treaty being otherwise than detrimental, which could be made with France, that they went up with an address to her Majesty, praying her to renew commercial negociations with the court of France. It was not correctly stated, neither that we had invariably considered it as our policy to resist all connection with France. She had been more jealous of us than we of her—Prohibitions began on the part of France, and we only retaliated in our own defence. These parts of his subject he felt it difficult to drop, without again adverting to the effect of this treaty on our revenue, which would almost exceed credibility, though it would cause an average reduction of 50*l.* per cent. in every article in our book of rates; on French wines the

reduction would be 10,000*l.* per annum; on Portugal wines, 170,000*l.* should the Methuen treaty be continued; and, on brandy, a reduction of 20,000*l.* The surrender of revenue for great commercial purposes was a policy by no means unknown in the history of Great Britain, but here we enjoyed the extraordinary advantage of having them returned to us in a three-fold rate, by extending and legalizing the importation of the articles. When it was considered that the increase must exceed the concession which we made, it would no longer be an argument that we cannot afford this reduction. Increase by means of reduction, he was obliged to confess, appeared once a paradox, but experience had now convinced us that it was more than practicable.

The simple question for the committee to consider, was, Whether, if the situation of the two countries was changed in its relative aspect—if it was true, that at the treaty of Utrecht we had but little to send to France, and that we had now much to send them—that our manufactures were so confessedly superior as to dread no competition, and greatly to counterbalance the natural produce of France—we ought not to enter into the treaty; or whether there was some preposterous and inscrutable, as well as fixed and eternal something between the two countries which must prevent them from ever forming any connection, or cherishing any species of amity? Having decided on this point, the next business of the committee was to see how far this treaty would affect their commercial treaties with other powers. This naturally led him to Portugal; and he must positively affirm, that there was nothing which prevented them from complying fully with the conditions of the Methuen treaty, if the British legislature should find it right, by the conduct of Portugal, to maintain the full force of that treaty. By enlarging their market for wine, they neither infringed on the markets of Portugal nor of Spain. It was not pretended even that the treaty could affect their connection with any other powers.

He contended, that it was not more necessary to view the effects of the treaty in its commercial operation, than as it might

have an influence on the revenue. There would undoubtedly be a very considerable reduction of duties. It was a question, however, whether this reduction would be attended with a proportionate loss to the revenue. On the subject of wines, it was certain that this reduction would not so operate; for if the Methuen treaty was to be preserved, and he certainly thought that nothing but the conduct of Portugal could make us harbour the idea of putting an end to it, there must be a defalcation from the subsisting duties on wine to the amount of 160 or 170,000*l.* a year. On brandy there must also be a loss, though a very small one, considering the probable increase of the legal importation—but there might be a diminution of the revenue to the amount of 20,000*l.* Taking this evil at the worst, a surrender of revenue for great commercial purposes was not contradictory to sound policy, nor to established practice. It was happy for the nation that this defalcation would make no difference, because it did not interfere with the plan of applying the surplus of the revenue to the payment of the debt.

Previous to an examination of the treaty in its political aspect, he begged leave to trespass upon the patience of the house, whilst he adverted to the report made to the general chamber of manufacturers—a report, which would now form a part of his speech; but, however, he should be sorry and ashamed were the committee to mistake it as being actually a part of his speech. The house would, therefore, please to recollect, that this chamber of manufacturers had asked, "What laws must be repealed to make room for the French treaty?" They needed not to suspend their opinions simply on this ground; they might have left the task of discovering these laws to parliament, unless they meant to take from them the trouble of legislation. The enumeration which they had made was singular. They had found out that the aliens duty must be repealed. In confirmation of this, they had thought proper to observe, that besides the laws restraining exportation, there are many others which, in favour of our own manufactures, prohibit the importation of foreign goods, as the 4th Edward 4th, chap. 1. by which no cloths wrought

beyond sea, shall be brought into England, and set to sale. That the 3d Edward 4th, chap. 3d and 4th: The 1st of Richard 3d, chap. 12: The 7th Elizabeth, chap. 7: The 13th and 14th Charles 2d, chap. 13, contain a variety of prohibitions on the importation of a great number of articles in the woollen, iron, copper, and glass manufactures: every one of which laws must necessarily be repealed. And that it has also been proved by a law, 1st of Richard 3d, chap. 9th, and 32d Henry 8th, chap. 15, "That no alien shall sell by *retail*, nor take any lease of a house or shop to trade in," which must by this treaty also be repealed, as the permission to sell by *retail is not* (as was in the treaty of Utrecht) excepted. And they add, that it may be proper to remark, that any relaxation of the laws, to prevent the clandestine landing of goods, will have a worse effect upon our manufacturers, than even a direct importation upon certain duties; and that by the free approach allowed to French vessels upon the coast; and the time given by the treaty to make entries, and to correct them when made, an alteration of the custom-house laws, (made as well for the protection of fair trade, as the collection of the revenue) must take place, from which they apprehend great mischiefs may ensue.

Mr. Pitt here remarked, that he believed a well-founded opinion prevailed in the learned profession, that the statutes of Richard III. and Henry VIII. imposing that odious duty, were in fact no longer in existence. If this were not so, he was sure at least that the gentlemen on the other side of the house, whose liberal principles he would always acknowledge, would not become advocates for the continuance of those odious penal statutes. In this enumeration also they talked of a vast number of articles which would be clandestinely imported and exported—of the encouragement to smuggling by the re-approach to our shores although the re-approach was pointedly confined to ships driven by stress of weather, and the danger of alteration of entries—and that by taking off the old prohibitions, their wool, their fuller's earth, nay, their tools, utensils, and secrets, would be transmitted to the rival. He professed he could not divine

the part of the treaty where this committee of manufacturers had discovered these dangers. He conceived that they were empowered to preserve all the prohibitions which they might think it wise to continue. He knew not of any possibility of sending the wool, the fuller's earth, or the tools of the manufacturers out of the kingdom. He went through the whole report of the committee, commenting on each passage, and opposing the ideas of the whole. That a set of manufacturers should neglect to consider the application of the treaty to themselves, while they wandered into the paths of legislation and government, did not look like that apprehension for their real interests which their terrors betrayed at the time of the Irish propositions. They indeed expressed their fears, should the tools and manufacturers of this country be imported to France; but upon that subject they may be quite at their ease, for there was not a word in the treaty to favour such a construction.

Considering the treaty in its political view, he should not hesitate to contend against the too-frequently advanced doctrine, that France was, and must be, the unalterable enemy of Britain. His mind revolted from this position as monstrous and impossible. To suppose that any nation could be unalterably the enemy of another, was weak and childish. It had neither its foundation in the experience of nations, nor in the history of man. It was a libel on the constitution of political societies, and supposed the existence of diabolical malice in the original frame of man. But these absurd tenets were taken up and propagated; nay, it was carried farther; it was said, that, by this treaty, the British nation was about blindly to throw itself into the arms of this constant and uniform foe. Men reasoned as if this treaty was not only to extinguish all jealousy from our bosoms, but also completely to annihilate our means of defence; as if by the treaty we gave up so much of our army, so much of our marine; as if our commerce was to be abridged, our navigation to be lessened, our colonies to be cut off or to be rendered defenceless, and as if all the functions of the state were to be sunk in apathy. What ground was there for this train of reasoning? Did

the treaty suppose that the interval of peace between the two countries would be so totally unemployed by us as to disable us from meeting France in the moment of war with our accustomed strength? Did it not much rather, by opening new sources of wealth, speak this forcible language—that the interval of peace, as it would enrich the nation, would also prove the means of enabling her to combat her enemy with more effect when the day of hostility should come? It did more than this; by promoting habits of friendly intercourse, and of mutual benefit, while it invigorated the resources of Britain, it made it less likely that she should have occasion to call forth those resources. It certainly had at least the happy tendency to make the two nations enter into more intimate communion with one another, to enter into the same views even of taste and manners; and while they were mutually benefited by the connection, and endeared to one another by the result of the common benefits, it gave a better chance for the preservation of harmony between them, while, so far from weakening, it strengthened their sinews for war. That we should not be taken unprepared for war was a matter totally distinct from treaty. It depended in no degree on that circumstance, but simply and totally on the watchfulness and ability of the administration for the time being. He had heard of the invariable character of the French nation, and of the French cabinet; her restless ambition and her incessant enmity and designs against Britain; and he noticed the particular instance of her interference in our late disputes, and of the result of her attack at that time. That France had, in that instant of our distress, interfered to crush us, was a truth over which he did not desire to throw even the slightest veil. Having premised that the provisions of the treaty would neither delude us into security, nor accomplish our reduction; that, on the contrary, it would strengthen our hands, and, whilst it did not diminish our means, would throw the prospect, and the necessity of war, at a very great distance, friendly assurances, he added, were not always to be relied on; but, although he thought France the aggressor in most of our former wars, yet, her assur-

ances and frankness during the present negociation, were such as, in his opinion, might be confided in. What might be the projects which wild ambition might one day dictate, was beyond his penetration; but, at present, the court of France was governed by maxims too prudent and political, not to consult its own safety and happiness beyond the ministerial aims of impracticable conquest. Oppressed as this nation was during the last war, by the most formidable combination for its destruction, yet had France very little to boast at the end of the contest, which should induce her again to enter deliberately into hostilities against this country. In spite of our misfortunes, our resistance must be admired, and in our defeats we gave proofs of our greatness and almost inexhaustible resources; which, perhaps, success would never shew us—

Duris ut ilex tonsa bipennibus,
Nigræ feraci frondis in Algido;
Per damna, per cædes, ab ipso
Ducit opes animumque ferro.

Indeed, whilst he recollected the whole of that dreadful controversy, he could deduce arguments from it to reconcile the present conduct of France with more equitable and more candid principles of policy than gentlemen seemed willing to attribute to our rival. When France perceived that, in that dreadful contest, when with the enormous combination of power against us it might be truly said that we were struggling for our existence, we not only saved our honour, but manifested the solid, and, he might also be tempted to say, the inexhaustible resources of the land; reflecting that, though she had gained her object in dismembering our empire, she had done it at an expense which had sunk herself in extreme embarrassment; and reflecting also, that such a combination of hostile power against us, without a single friend in Europe on our side, can never be imagined again to exist; may I not (exclaimed Mr. Pitt) be led to cherish the idea, that, seeing the durable and steady character of our strength, and the inefficacy as well as the ruin of hostility, France

would eagerly wish to try the benefits of an amicable connection with us? It was a singular line of argument which he had heard and which he saw was also propagated out of doors, that the treaty would prove objectionable, if it should be found that, though advantageous to ourselves, it would be equally so to them. It was ridiculous to imagine that the French would consent to yield advantages without an idea of return: the treaty would be of benefit to them; but he did not hesitate to pronounce his firm opinion, even in the eyes of France, and pending the business, that though advantageous to her, it would be more so to us. The proof of this assertion was short and indubitable. She gained for her wines and other produce a great and opulent market; we did the same, and to a much greater degree. She procured a market of eight millions of people, we a market of twenty-four millions. France gained this market for her produce, which employed in preparation but few hands, gave little encouragement to its navigation, and produced but little to the state. We gained this market for our manufactures, which employed many hundreds of thousands, and which, in collecting the materials from every corner of the world, advanced our maritime strength, and which, in all its combinations, and in every article and stage of its progress, contributed largely to the state. France could not gain the accession of 100,000*l.* to her revenue by the treaty; but England must necessarily gain a million. This could easily be demonstrated.—The high price of labour in England arose chiefly from the excise, and three-fifths of the price of labour were said to come into the exchequer. The produce of France, on the contrary, was low in the staple, and less productive to the state in the process. Even the reduced duties were so proportionably high, that France could not send to us 500,000*l.* of brandies but we must gain cent. per cent. by the article. In this view, then, though France might gain, we must be, comparatively, so much more benefited, that we ought not to scruple to give her the advantages: and surely ought not to fear that this very disproportionate gain could be injurious to us in case of a future contest. It was in the nature and essence of

an agreement between a manufacturing country and a country blessed with peculiar productions, that the advantages must terminate in favour of the former: but it was particularly disposed and fitted for both the connections. Thus France was, by the peculiar dispensation of Providence, gifted, perhaps, more than any other country upon earth, with what made life desirable, in point of soil, climate, and natural productions. It had the most fertile vineyards, and the richest harvests; the greatest luxuries of man were produced in it with little cost, and with moderate labour. Britain was not thus blest by nature; but, on the contrary, it possessed, through the happy freedom of its constitution, and the equal security of its laws, an energy in its enterprise, and a stability in its exertions, which had gradually raised it to a state of commercial grandeur; and not being so bountifully gifted by Heaven, it had recourse to labour and art, by which it had acquired the ability of supplying its neighbour with all the necessary embellishments of life in exchange for her natural luxuries. Thus standing with regard to each other, a friendly connection seemed to be pointed out between them, instead of the state of unalterable enmity, which was falsely said to be their true political feeling towards one another.

In conclusion, he remarked, that, with respect to political relation, this treaty at least, if it afforded us no benefits, brought us no disadvantages. It quieted no well-founded jealousy; it slackened no necessary exertion; it retarded no provident supply; but simply tended, while it increased our ability for war, to postpone the period of its approach. But on this day he had only to draw the attention of the house to objects merely commercial, and he must again say, that he by no means wished to bind them by any resolution this night, to any general approbation of the measure. He should sit down after voting his first resolution; yet he begged to be understood that he meant to move the others which he had mentioned.

Mr. Pitt now moved, "That in case either of the two high contracting parties shall think proper to establish prohibitions, or to augment the import duties upon any goods or merchandise

of the growth or manufacture of the other, which are not specified in the tariff, such prohibitions or augmentations shall be general, and shall comprehend the like goods and merchandises of the other most favoured European nations, as well as those of either state: and in case either of the two contracting parties shall revoke the prohibitions, or diminish the duties, in favour of any other European nation, upon any goods or merchandise of its growth or manufacture, whether on importation or exportation, such revocations or diminutions shall be extended to the subjects of the other party, on condition that the latter shall grant to the subjects of the former the importation and exportation of the like goods and merchandises under the same duties; the cases reserved in the seventh article of the present treaty always excepted.' That all articles of manufacture and commerce, not enumerated in the tariff, be admitted from France, on paying the same duties as the same articles pay on importation from the most favoured nation."

The committee divided on Mr. Fox's motion, "That the chairman do leave the chair, report progress, and ask leave to sit again,"

Ayes.....118

Noes,.....252

and the main question was then put and carried.

May 9, 1787.

THE House having proceeded to the order of the day for the further consideration of the report of the secret committee, appointed to draw up articles of impeachment against Warren Hastings, Esq. it was moved, "that this report be now read a second time:"—

Upon which motion an amendment was proposed by Mr. Alderman Wilkes, "that the report be read a second time this day three months."

MR. PITT said that he had deferred giving his sentiments on the question so long, because he found many gentlemen who were averse to the prosecution, had hitherto reserved themselves on the various stages through which the business had al-

ready passed, and had taken the present opportunity of delivering their opinions at large upon the whole of the subject, and had then for the first time entered into the defence of Mr. Hastings. As this seemed to be the case, he thought it was but justice to those gentlemen, to Mr. Hastings, and to the cause, to hear what they had to say without interrupting them, or anticipating their general argument in favour of Mr. Hastings, by a particular discussion of the question immediately before the house. Those gentlemen had not taken up the question either as to the form of the articles, or the mode of proceeding, but had confined themselves solely to the broad consideration, whether Mr. Hastings was or was not guilty of crimes sufficiently great and glaring to render him deserving of punishment; and this discussion had been handled in a variety of ways by the several gentlemen that had undertaken it, and all of them had gone the length of arguing that there should be a complete and final conclusion to the whole proceeding—an opinion that he was ready to declare his own perfect and entire dissent from; for he felt himself totally at a loss to conceive how it could be reconciled to the honour, the consistence, or the justice of that house to stop short of sending up the impeachment to that place, where alone it ought to undergo its ultimate discussion.

The noble lord* who opened the debate, and the honourable magistrate† who followed him, had confined themselves wholly to a collateral question, and not one immediately connected with that before the house, to the merits of Mr. Hastings, which they pleaded as a *set off* against his offences. This was a ground which he expected and hoped would have been abandoned, after what had already passed upon that subject, both from Mr. Hastings himself, who had disclaimed any such plea, and from many of the gentlemen who had delivered their opinions in the debates on the several charges. For his own part, such was his opinion of many parts of the charges brought against Mr. Hastings, of their importance and criminality, that he could not conceive, if they were well founded, how the highest and the

* Lord Hood. † Alderman Wilkes.

greatest merits which had ever been alleged in favour of Mr. Hastings, could be set in opposition to them as a plea even against conviction and punishment—much less against inquiry and trial, which were now the objects in question. His learned friend* had very judiciously taken a different ground, and given up that *set off*; but still the principles he went on were no less objectionable than those of the noble lord and the honourable alderman: he had treated the subject as if it was deficient of that consequence or magnitude which could entitle it to the judgment of that high and weighty tribunal to which it was proposed to submit it, and had besides endeavoured to oppose the farther progress of the business in that house, by analogous reasonings from the nature of this form of proceeding in parliament and that of grand juries and other courts. But he could not conceive how any gentleman could possibly consider the charges against Mr. Hastings in any other light than as a very grave, heavy, and serious accusation, such as was supported by evidence at least sufficient to warrant the putting him on his trial, and such as was of magnitude sufficient, if substantiated in proof, to bring down on him very ample punishment.

As to the analogies to other inquests, the learned lord himself, and those who entertained opinions similar to his, had themselves shewn how little their analogous reasonings applied; for they all seemed to go upon an idea, that the finding matter sufficient to put the party on his trial was assuming, for a certainty, that there was sufficient matter to convict. But this was by no means the case; for it was never supposed or imagined that exactly the same degree of evidence which was sufficient to warrant an impeachment of that house, must necessarily be sufficient to support and insure a conviction; neither was this the case in the finding of a grand jury: in both cases the final judicature must have proof considerably more substantial than that which the original inquest would have been justifiable in proceeding upon. But it was impossible for that house to govern itself exactly by the rules of a grand jury; for the subjects that

* The Lord Advocate (Mr. Dundas.)

were likely to become objects of impeachment, were so different from those with which grand juries were conversant, that no analogy could take place in their modes of proceedings. Besides, if the house of commons were to take the proceeding of a grand jury as their precedent, and follow it exactly in all instances, it would amount to a complete dereliction of that function which they were then exercising—that of impeachment; a function which had been the bulwark of the constitution, and which had enabled that house to preserve and maintain the freedom of their country, through the several struggles they had made for that purpose. Was that house competent to take deposition and evidence upon oath? It certainly was not; and therefore if it were not to proceed to an impeachment upon any other species of evidence than would justify a grand jury in finding a bill of indictment, it must never impeach at all; for a grand jury could not find it except upon affidavit. Still he admitted that the house ought never to go to such a length as the carrying up of an impeachment, except upon such evidence as would afford a reasonable probability of their being able to make good their charge before the other house; and was there not here, from what had been produced in support of this charge, and from the collateral and indirect matter which had alone been resorted to in defence of that charge, very reasonable grounds for expecting that they should be able to make good the present?

An honourable magistrate* had inveighed with great severity on the conduct of gentlemen who (he thought), in support of the charge, had used expressions of too violent and personal a nature to be admitted in the progress of a judicial inquiry. He certainly was of opinion, that there was much illiberality in any attempt to inflame and excite emotions beyond what might naturally be expected to result from a fair and candid development of facts in the minds of those who were the instruments of public justice. He admitted that he once was of opinion, that the language of those who chiefly promoted the present proceeding, was too full of acerbity, and much too passionate and exaggerated; but when

* Alderman Townsend.

he found what the nature of the crimes alleged was, and how strong was the presumption that the allegations were true, he confessed that he could not expect that gentlemen, when reciting what they thought actions of treachery, actions of violence and oppression, and demanding an investigation into those actions, should speak a language different from that which would naturally arise from the contemplation of such actions.

The honourable magistrate had argued, that the honour of the house was not committed to adopt the resolutions of the committee, and had endeavoured to prevent such an impression from falling upon gentlemen as an inducement to their voting for them. But, was there any danger of gentlemen being influenced by such a consideration in the present case? Had the resolutions of the secret committee been a new matter, perhaps there might then have been some room for cautioning the house not to be drawn into too hasty an adoption of them from motives of consistency, because, in such a case, their adoption might possibly be attributed to such motives; but even then such a caution must prove unnecessary; for no member could consider himself bound to support the resolutions of a committee, merely because they were resolutions of a committee. In this instance, the object of the honourable alderman ought to be, to convince such gentlemen individually as had voted for the several charges, that, having done so, yet they would not be inconsistent in now opposing the report; but this argument, he must say, he believed no gentleman would attempt to support; for certainly no gentleman who had supported the charges could, consistently with the principles on which he did so, now oppose the farther progress of the business. But, in fact, he not only considered those gentlemen who voted for the charges individually, but the whole house collectively, as called upon by every motive of honour and consistency, by their regard for the national character as well as their own, to unite and persevere in bringing the matter to a final conclusion before the other house.

The hon. [illegible] gentleman* who had spoken last, and who

* Mr. Nathaniel Smith.

every body knew to be most perfectly conversant in the affairs of the East Indies, who had done himself so much honour in every part he had at any time taken in the management of their affairs, and who had been besides in general a strenuous opposer of the measures of Mr. Hastings, had that day made the best defence for him which he had yet heard; but still, upon the very grounds of that defence, Mr. Hastings appeared highly culpable. The principle argument which that honourable gentleman had stated in favour of Mr. Hastings, was, that a great part of those rapacious exactions which he had made in India, arose from the orders he had received from his employers, the East India Directors, who were so elated with the acquisition of the Dewance of Bengal, and the expectations they from thence entertained of becoming the channels of vast wealth into this country, that they gave him directions for such extensive investments as could not be provided by the ordinary resources of the company, and of course drove him to the necessity of supplying, by rapacity, and extortion, the means of fulfilling their injunctions. Taking this to be the fact, it was, he contended, no argument whatsoever to skreen Mr. Hastings from punishment; for it went to say, that whatever acts of injustice a servant of the company might commit, provided that he does it by the orders of his immediate superiors and employers, he should not be amenable to punishment;—a principle which, of all others, that house should be most assiduous to resist, because such a principle, if once established, would entirely overthrow the responsibility of all public officers—even of ministers themselves. But where the fact even thus, the East-India Company might entertain too flattering and too sanguine ideas of their situation, and in so doing, would naturally (as they did) give orders to their servants measured by the scale of those ideas; still was Mr. Hastings justifiable in recurring to acts of oppression and tyranny, in order to realize the visionary prospects of his masters? Was it not his duty to undeceive them, and by a proper representation of their affairs excuse himself for the non-performance to its full extent of their commands? He should recapitulate, as shortly as possible, the state of the charges

against Mr. Hastings, from which it would appear, how impossible it was for him, or such gentlemen as were of opinion with him, to give him any other vote but one—of concurrence with the motion; though he certainly considered the whole of the charges as originally brought forward, as highly exaggerated in some parts, and as not wholly founded in others; yet there appeared from the evidence which had been produced, that there was in them a great deal of matter of substantial criminality, and sufficiently authenticated to warrant that house in proceeding upon it.

The chief point of this mass of delinquency was all which he could touch upon; nor would he go into the articles at any length, having already delivered his sentiments at large upon such of them as he was not anticipated in by gentlemen who thought as he did. In one part of the charge of Benares, there was great criminality; in that of the princesses of Oude there was still more; and *that*, indeed, he looked upon as the leading feature in the whole accusation. In the charges concerning Farruckabad and Fyzula Khan, there was also much criminal matter. In all of those there were instances of the most violent acts of injustice, tyranny, and oppression; acts which had never been attempted to be vindicated except on the plea of necessity. What that necessity was, had never been proved; but there was no necessity whatsoever which could excuse *such* actions as those, attended with *such* circumstances. He could conceive a state, compelled by the necessity of a sudden invasion, an unprovided army, and an unexpected failure of supplies, to lay violent hands on the property of its subjects; but, *then*, in doing so, *it* ought to do it openly, it ought to avow the necessity, it ought to avow the seizure, and it ought, unquestionably, to make provision for a proper compensation as soon as that should become practicable. But was this the principle on which Mr. Hastings went? No; he neither avowed the necessity nor the exaction; he made criminal charges, and under the colour of them he levied heavy and inordinate penalties; seizing that which, if he had a right to take it at all, he would be highly criminal in taking in such a shape, but

which having no right to take, the mode of taking it rendered it much more henious and culpable. He certainly had no right to impose a fine of any sort on the princesses of Oude; for there was not sufficient proof of their disaffection or rebellion. And the fine imposed on Cheit Sing, in a certain degree, partook of a similar guilt, though not to so great an extent; for then the crime was, in his opinion, not so much in the fine itself as the amount of it, and its disproportion to the circumstances of the person who was to pay it, and the offence which he had committed. But this vindication, from one part of the charge, in itself so weak, became, when coupled with other parts, a great aggravation; for, when a person on the one hand commits extortion, and, on the other, is guilty of profusion, if he attempts to screen himself under the plea of necessity, for his rapacity, it follows that he is doubly criminal for the offence itself, and for creating the necessity of that offence by his prodigality. And a still higher aggravation arises from the manifest, and, indeed, palpable corruption attending that prodigality; to what else could be attributed the private allowances made to Heyder Beg Khan, the minister of the Nabob Vizier, and the sums paid to the Vakeel of Cheit Sing, when it was remembered that the one led the way to the treaty of Chunar, and the other to the revolution in Benares?

The honourable gentleman who spoke last, had attempted to excuse all these actions, by shewing that Mr. Hastings was not the person who first began the interference of the company with the native princes, nor the influence which it had obtained in their politics; and that the inconveniences attending the double government of Oude were not to be imputed to him. But, surely to whatever cause that influence might be originally attributed, Mr. Hastings was answerable for the management of it, as long as it was in his hands, and to excuse him on this plea, would be to justify the tyranny by the power; for, though the influence of the company had given him the power to oppress the neighbouring country, it had not imposed on him the necessity of doing so. The honourable gentleman had attempted to palliate those parts of Mr. Hastings's conduct, by stating, that if he were guilty, he

was so in common with the rest of the council; but this, if it were the case, was by no means a sufficient excuse for him, nor could it be a reason with the House for dropping the impeachment; for his having accomplices in his crimes could be no exculpation, and it would be highly derogatory to the honour of that house, if they were to say—"No; we will not bring the delinquent to justice, because there are a number of delinquents besides him." Nor would this be a reason even for impeaching the rest; for it was by no means advisable to multiply examples; the proper way was, to select such as, from their exalted and ostensible situations, were the more likely to become an effectual example. But, it was impossible to justify Mr. Hastings on such a ground as this, even if it were tenable at all; because a considerable part of those enormities with which he was charged, were committed at a distance from his council, and when he was entirely out of the reach of their advice or control.

In the articles of the contracts, there were some glaring instances of breach of orders, and of improvidence and profusion, which though not of so heinous a nature as those he had before mentioned, were such as called loudly for punishment. But there was another charge which he was astonished to find the gentlemen who defended Mr. Hastings could treat so lightly, as it was one which appeared to him in itself sufficient to justify the impeachment, though it had stood alone, and was of such a nature as in a peculiar degree, called for the interference of that house. This was the charge of taking presents, which, in every light it could be considered in, whether as a direct breach of the law which appointed him, a positive evidence of corruption, or a degradation of the character of his employers, was a great and heavy accusation; and as to the excuse which had been offered, that he had received those presents for the use of the company, even that was criminal in a degree. But, for his part, he could not accede to the opinion either that he had received those sums with an intention of applying them to the service of the company, or that he had actually applied them at all in that way; for, had this been his intention, he would have kept such accounts, and

made such immediate communications of them, as should clearly prove that it was so. But, no such accounts were produced, no such communications were made; and there were, besides, circumstances attending some of them, that proved they must have been received with a corrupt intention. As an instance of this, he should mention the present Mr. Hastings had received from Kelleram, which was attended with the most suspicious of all circumstances, namely, that this very person was at the time in treaty for a district of land belonging to the company, and no question could be entertained, but he gave the money in order to obtain a favourable bargain; so that had this been done for the company, it was a most unjustifiable and impolitic method of managing their concerns; for, in that case, it should have been negociated openly in the nature of a fine, and not privately as a bribe, in which latter light alone it ought to be considered.

Upon the whole, Mr. Pitt concluded with declaring, that the house could no otherwise consult their own honour, the duty which they owed their country, and the ends of public justice, than by sending up the impeachment to the house of lords.

The original motion was carried,

Ayes.....175
Noes.....89

May 15, 1787.

Mr. Grey, after complaining to the House of certain abuses that prevailed in the Post Office, moved for a committee to be appointed to enquire into the same: when

Mr. Pitt rose, declaring his intention not to detain the house long, and certainly not to oppose the motion of the honourable gentleman. A motion made for an enquiry into abuses stated to exist in a flagrant degree, and which an honourable gentleman declared himself impelled, by his duty as a mem-

ber of parliament, and not by any private or personal views, to make, was such a one as he should at all times feel the strongest inclination to comply with, and from which nothing but evident and palpable impropriety could induce him to withhold his consent. But he expected that if the motion were to pass, the enquiry intended to be made might be proceeded upon immediately before the end of the session, and be pointed to the proper object of censure, if censure were, upon investigation, found to be deserved. The honourable gentleman had made heavy charges against a noble lord of high character and unsullied honour, and had thought proper also to extend his accusation to him, and it would be but a bad method of consulting either his own or the noble lord's reputation, to endeavour to shrink from an inquiry into the true grounds and merits of the accusation. The part which he had taken in the transaction relative to Mr. Lees, was one which he was always ready to submit to the judgment of the house. A memorial had been sent from the general post office, signed by the two noble lords who then presided there, the Earl of Tankerville and Lord Carteret, stating that Mr. Lees would probably suffer an injury in his employment, to a very considerable amount, in consequence of the separation of the two establishments of the post office—that of England and Ireland from each other. It also stated the annuity paid by Mr. Lees to Mr. Walcot, and by Mr. Walcot to Mr. Baron; and he, together with other lords of the treasury, as well in consideration of the actual loss sustained by Mr. Lees, as from the circumstance of that gentleman having done the business for a considerable time for a small salary, in the prospect of an increase in his profits in future, did, upon inquiry into the amount of the loss, sign an order for an addition of 400*l.* to his salary. As to the charge made by the honourable gentleman, that he was inclined to wink at abuses in the post office, or any other public establishment, it was a charge wholly unwarranted by fact, and unfounded by any reasonable presumption. So far was he from any backwardness for the reform in abuses in that office, that he had suggested a

measure for the general reform of all those very abuses relative to shipping and other things which the honourable gentleman had mentioned, and that measure formed a part of the office reform bill. He then concluded, by reading the resolution which he had moved about three years ago on that subject.

Some expressions having fallen from Mr. Pitt in the course of the debate, which Mr. Grey considered as reflecting injuriously upon the motives by which he was influenced in the present enquiry, the latter rose with great warmth to repel such insinuations, and affirmed that no man should *dare* to question the purity of the principles on which he acted.

To this Mr. Pitt answered:—The honourable gentleman arrogates too much to himself, if he conceives that I shall not take the liberty of calling his motives in question as often as his conduct shall warrant such a freedom. If the honourable gentleman chooses not to have his motives questioned, he must take care that his conduct is such, as not to render it necessary.

Mr. Grey immediately replied, that he should never act in that house upon any principle which did not appear to him to be honourable; and while he was conscious that his conduct was governed by the unerring principles of honour, if any person chose to impute dishonourable principles to him, he had those means in his power, to which it would then be proper to resort.

Mr. Pitt and Mr. Sheridan rising together, the latter obtained a hearing first, and endeavoured to appease the heat that had arisen, by observing, that he believed his honourable friend had misunderstood the words of the chancellor of the exchequer.

Mr. Pitt declared, that he had not before spoken with heat, nor should there be any heat in what he was going to say. He then deliberately repeated the argument of his former speech, and added, that with respect to any means to which the honourable gentleman might wish to resort, it would be for himself to determine whether they were proper or not.

The question was afterwards put and agreed to.

December 10, 1788.

MR. PITT, after having brought up the report of the physicians touching the state of his Majesty's health, which was ordered to lie on the table, proceeded to observe—

That the paper from the privy-council, which had been already placed upon the table, as well as the more regular examinations of which the house had just heard the contents, afforded them sufficient information, both with regard to the melancholy subject which had occasioned them to assemble, and the opinions of the physicians; and must, at the same time, naturally fill their minds with a reasonable hope, that a happier moment would arrive than the present, although the faculty, who had been consulted, were still unable to declare the precise point of time of its arrival. Gratified, however, as the house might be in that expectation, yet the uncertainty by which its completion might be protracted, rendered it their indispensable duty to proceed, notwithstanding their regret for the occasion, with every degree of dispatch, and in the most respectful manner to take those intermediate steps which the unfortunate exigency of the moment required, in order to provide for the present serious situation of affairs, with a view to guard the liberties of the people from danger, and secure the safety of the country; that his Majesty might have the gratification of knowing, when the happy moment of his recovery should arrive, that the people whom he had loved and protected, had suffered as little as possible by his illness. The point to be agitated, on this occasion, involved in it whatever was dear to the interests of the country, it involved in it whatever was valuable to the people, whatever was important in the fundamental principles of our free constitution. The steps to be taken as preliminaries, therefore, to the discussion of this truly interesting subject, were such as he could not conceive likely to create any difference of opinion. That the house might have the advantage of the wisdom of their ancestors to guide their proceedings, and act upon the fullest information, he should move for

the appointment of a committee to examine into, search for, and report precedents, from which report they would be enabled to see, what had been the steps taken in former moments of difficulty and danger, whence they might proceed with the greater security in providing for the present melancholy circumstances of the country.

In conclusion, after dilating at some extent upon the necessity of this mode, Mr. Pitt said, he would not detain the house by enlarging upon the subject any longer, but as, on the one hand, it would serve to throw all the light upon it that precedent and history could afford: so, on the other, as he conceived the report of such a committee as he had mentioned might be made in the course of the present week, it could very little contribute to retard the dispatch that was so desirable, and must prove of no material inconvenience. With a view, therefore, to give their proceedings every necessary solemnity, and regulate them by every possible degree of caution, he should move,

"That a committee be appointed to examine and report precedents of such proceedings as may have been had, in case of the personal exercise of the royal authority being prevented or interrupted, by infancy, sickness, infirmity, or otherwise, with a view to provide for the same."

Mr. Fox, although he did not resist the motion, considered it as productive of unnecessary delay, when it was the duty of the house to provide with all possible dispatch for the exigency of the present moment. He had no hesitation, he said, in declaring it as his decided opinion, that his royal highness the Prince of Wales had as clear, as express a right to assume the reins of government, and exercise the powers of sovereignty during the continuance of the illness and incapacity with which it had pleased God to afflict his Majesty, as in the case of his Majesty's having undergone a natural and perfect demise.

To this latter assertion Mr. Pitt answered,

That he must take the liberty to observe, that the right honourable gentleman had thrown out an idea which, whatever he might have generally thought of him, as to his penetration and discernment, as to his acquaintance with the laws and general history of the country, and as to his knowledge of the theory of

the constitution, (however he might repeatedly have found occasion to differ with him in respect to his measures and opinions in his practice under it) he defied all his ingenuity to support, upon any analogy of constitutional precedent, or to reconcile to the spirit and genius of the constitution itself. The doctrine advanced by the right honourable gentleman was itself, if any additional reason were necessary, the strongest and most unanswerable for appointing the committee he had moved for, that could possibly be given. If a claim of right was intimated, even though not formally, on the part of the Prince of Wales, to assume the government, it became of the utmost consequence to ascertain, from precedent and history, whether this claim were founded; which, if it were, precluded the house from the possibility of all deliberation on the subject. In the mean time, he maintained, that it would appear, from every precedent, and from every page of our history, that to assert such a right in the Prince of Wales, or any one else, independent of the decision of the two houses of parliament, was little less than treason to the constitution of the country.

He said, he did not mean then to enter into the discussion of that great and important point; because a fit occasion for discussing it would soon afford both the right honourable gentleman and himself an ample opportunity of stating their sentiments upon it. In the mean time, he pledged himself to this assertion —that in the case of the interruption of the personal exercise of the royal authority, without any previous lawful provision having been made for carrying on the government, it belonged to the other branches of the legislature, on the part of the nation at large, the body they represented, to provide, according to their discretion, for the temporary exercise of the royal authority, in the name, and on the behalf, of the sovereign, in such manner as they should think requisite; and that, unless by their decision, the Prince of Wales had no right (speaking of strict right) to assume the government, more than any other individual subject of the country. What parliament ought to determine on that subject, was a question of discretion. However strong the arguments

might be on that ground in favour of the Prince of Wales, which he would not enter into at present, it did not affect the question of right; because, neither the whole, nor any part of the royal authority, could belong to him in the present circumstances, unless conferred by the houses of parliament.

As to the right honourable gentleman's repeated enforcement of the Prince of Wales's claim, he admitted that it was a claim entitled to most serious consideration; and thence, must take the liberty of arguing, that it was the more necessary to learn how the house had acted in cases of similar exigency, and what had been the opinion of parliament on such occasions. He would not allow that no precedent analogous to an interruption of the personal exercise of the royal authority could be found, although there might possibly not exist a precedent of an heir apparent in a state of majority, during such an occurrence, and in that case, he contended, that it devolved on the remaining branches of the legislature, on the part of the people of England, to exercise their discretion in providing a substitute.

Mr. Pitt contended, that in the mode in which the right honourable gentleman had treated the subject, a new question presented itself, and that of greater magnitude even than the question which was originally before them, as matter of necessary deliberation. The question now was, the question of their own rights, and it was become a doubt, according to the right honourable gentleman's opinion, whether that house had, on this important occasion, a deliberative power. He wished, for the present, to wave the discussion of that momentous consideration; but, he declared that he would, at a fit opportunity, state his reasons for advising what step parliament ought to take in the present critical situation of the country, contenting himself with giving his contradiction to the right honourable gentleman's bold assertion, and pledging himself to maintain the opposite ground against a doctrine so irreconcileable to the spirit and genius of the constitution. If the report of the committee had not proved the necessity of the motion he had made, the right honourable gentleman had furnished the house with so strong an argument for

inquiry, that if any doubt had existed, that doubt must vanish. Let it not, then, be imputed to him, that he offered the motion with a view to create delay; indeed, the right honourable gentleman had not made any such imputation. In fact, no imputation of that sort could be supported; since no longer time had been spent, after the first day of their meeting, than was absolutely necessary to insure as full an attendance as the solemnity and seriousness of the occasion required; since that time, every day had been spent in ascertaining the state of his Majesty's health, and now the necessity of the case was proved, it behoved them to meet it on the surest grounds. Let them proceed, then, to learn and ascertain their own rights; let every man in that house, and every man in the nation, who might hear any report of what had passed in the house that day, consider, that on their future proceedings depended their own interests, and the interest and honour of a sovereign, deservedly the idol of his people. Let the house not, therefore, rashly annihilate and annul the authority of parliament, in which the existence of the constitution was so intimately involved.

Mr. Burke next rose and sarcastically attacked the doctrine laid down by the chancellor of the exchequer; emphatically calling Mr. Pitt "one of the Prince's competitors," and declaring that, were he to give an elective vote, it should be in favour of that Prince, whose amiable disposition was one of his many recommendations, and not in support of a "Prince," who had threatened the assertors of the Prince of Wales's right with the penalties of constructive treason.

MR. PITT concluded the conversation with remarking, that if the right honourable gentleman,* who had condescended to be the advocate and the specimen of moderation, had found any warmth in his manner of speaking before, which led him to think that he had not considered what he said, he was ready to repeat it with all possible coolness, and knew not one word that he would retract. Upon this ground, therefore, was he still ready to maintain, that it was little less than treason to the consti-

* Mr. Burke.

tution to assert, that the Prince of Wales had a claim to the exercise of the sovereign power during the interruption of the personal authority of his Majesty by infirmity, and in his life-time; and to this asseveration should he adhere, because he considered such a claim as superseding the deliberative power and discretion of the two existing branches of the legislature. And, when he had said the Prince of Wales had no more right to urge such a claim than any other individual subject, he appealed to the house upon the decency with which the right honourable gentleman had charged him with placing himself as the competitor of his royal highness. At that period of our history, when the constitution was settled on that foundation on which it now existed, when Mr. Somers and other great men declared, that no person had a right to the crown independent of the consent of the two houses, would it have been thought either fair or decent for any member of either house to have pronounced Mr. Somers a personal competitor of William the Third?

The question was then put and agreed to, and a committee was accordingly appointed, consisting of the following members.

The Chancellor of the Exchequer.

Welbore Ellis, Esq.	Ld. Advocate of Scotland,
The Master of the Rolls,	Marquis of Graham,
Rt. Hon. F. Montagu,	Lord Belgrave,
Attorney General,	Sir Grey Cooper,
Robert Vyner, Esq.	Wm. Wilberforce, Esq.
Rt. Hon. Henry Dundas,	Rt. Hon. Wm. Windham,
Thomas Powys, Esq.	Philip Yorke, Esq.
Solicitor General,	Earl Gower,
R. B. Sheridan, Esq.	Rt. Hon. W. W. Grenville,
Wm. Hussey, Esq.	Rt. Hon. Edmund Burke.

December 12, 1788.

THE report being brought up from the committee, who had been appointed to examine precedents in cases of the personal exercise of the royal authority being interrupted by sickness, infirmity, or otherwise,

Mr. Pitt moved, "That the House should on Tuesday next resolve itself into a Committee of the whole House to take into consideration the State of the Nation."

After Mr. Fox had spoken,

MR. PITT rose, and begged leave to remind the house, that they had just received a voluminous report from the committee, appointed to search for precedents, in order that gentlemen might have every information before them, to guide their proceedings under the present arduous and singular situation of the country, that the wisdom of their ancestors, the statutes of the realm, and the records of parliament, could afford; and he had moved to refer that report, together with the examination of his Majesty's physicians, to the committee of the whole house, who were to take the state of the nation into their consideration upon the ensuing Tuesday. In that committee, the topics touched on by the right honourable gentleman* would necessarily undergo an ample discussion. In their last debate on the subject, there appeared to be a point at issue between the right honourable gentleman and himself; and, from all that the right honourable gentleman had then said, it still appeared to be no less at issue than before. The right honourable gentleman explained, as he thought proper, the meaning of a very essential part of his speech, on the preceding Wednesday. Mr. Pitt said, that he should be sorry to fix on any gentleman a meaning, which he afterwards declared not to have been his meaning. In whatever way, therefore, he had before understood the right honourable gentleman's words relative to the prince's forbearing to assert his claim, he was willing to take the matter from the right honourable gentleman's present explanation, and to meet it upon those grounds where he had then, after maturer deliberation, thought fit to place it. The right honourable gentleman now asserted, that the Prince of Wales had a right to exercise the royal authority, under the present circumstances of the country, but that it was as a right not in possession, until the prince could ex-

* Mr. Fox.

ercise it on, what the right honourable gentleman called, the adjudication of parliament. He, on his part, denied that the Prince of Wales had any right whatever, and upon that point the right honourable gentleman and he were still at issue—an issue, that, in his opinion, must be decided, before they proceeded one step farther in the great and important considerations to be discussed and determined.

Concerning one part of the right honourable gentleman's speech, it was impossible for him to remain silent, as the right honourable gentleman's ideas in that point had not appeared to him to be quite accurate and distinct. He seemed to have intended to have renounced all idea of the Prince of Wales's right to assume the exercise of the royal authority, under the present or similar circumstances, without the previous adjudication of parliament, or of the two houses; but, if he understood the right honourable gentleman correctly, he had used the words, "during the sitting of parliament;" the plain inference from which expression was, that if parliament were not sitting, the Prince of Wales could assume the exercise of the regal authority. Mr. Pitt declared, that he thought the Prince of Wales could, in no one case, have power to assume the right. If there were no parliament in existence, he granted, that the heir apparent, acting in concert with other persons in great situations, might, under such circumstances as the present, have issued writs, and convened the two houses, for the purpose of providing for the exigency. Such a proceeding would be justified by the necessity of the case, and with a view to the safety of the nation, which superceded all forms; but, that it would be a legal and formal summons of the parliament, or that a parliament could be called together, without legal authority, he must absolutely deny. Such a meeting would be a convention, like to that assembled at the time of the abdication of James the Second, and in other periods of difficulty; but it could not be a legal and formal calling together of a parliament. With regard to the question of the Prince of Wales's right of assuming the power, during the intermission of parliament, and his right not in possession, as it was called, during the

sitting of parliament, he need not rest much upon the distinction, denying, as he did, that any right to assume the regal authority, under any circumstances, independent of the consent and approbation of parliament, existed in the Prince of Wales. But, supposing the right of assumption of royalty given up altogether, and that the prince must have the right adjudged by parliament, he denied that they were canvassing a right, and acting as judges, as the sentiments of the right honourable gentleman so manifestly intimated. It was subversive of the principles of the constitution to admit, that the Prince of Wales might seat himself on the throne during the lifetime of his father; and the intimation of the existence of such a right, as he had remarked on a former occasion, presented a question of greater magnitude and importance even than the present exigency, and the provision that it necessarily required; a question that involved in it the principles of the constitution, the protection and security of our liberties, and the safety of the state.

Whatever, therefore, might be the order of their proceeding, he hoped there would be an unanimous concurrence of opinion, that it was impossible to let the question of right, which had been started, undergo admission, without its being fully discussed and decided. It was a question that shook the foundation of the constitution, and upon the decision of which, all that was dear to us, as Britons, depended. In his opinion, therefore, it was their first duty to decide, whether there were any right in the Prince of Wales to claim the exercise of the regal power, under any circumstances of the country, independent of the actual demise of the crown. In the discussion of the powers with which the regent was to be invested, there might be differences of opinion, whether the whole of the royal prerogatives should be delegated, on the grounds of expediency; there might be differences of opinion, whether a portion only of the royal authority should be delegated, and a part reserved, on the grounds of prudence and discretion. These were important topics, which they could not discuss, unless they first knew, whether they were sitting as judges, or as a house of parliament, possessing a power of deli-

beration, and capable of exercising a constitutional discretion. They must first ascertain, whether that which should be vested in the hands of the Prince of Wales, was matter of adjudication on their part, of right in his royal highness, or as a trust in behalf and in the name of his Majesty; and therefore, he should think it his duty to bring forward the question of right, as a preliminary question. If that question should be decided in the affirmitive, there would be no need of specific measures. Should it, however, be determined upon a contrary ground, the way would become cleared, and the house would know how to proceed. He had, indeed, mentioned the alternative, but, Heaven forbid, that the fatal alternative should be decided in favour of the intimated right of the Prince of Wales!

Mr. Pitt next took notice of the call which Mr. Fox had made upon him, relative to the future propositions to be brought forward by him in the committee which had been moved for, to take into consideration the state of the nation. He said, that, if the question of right should be decided, as he thought it would, upon constitutional principles, he should, in that case, certainly proceed to propose measures for providing for the interruption of the royal authority, occasioned by his Majesty's present incapacity to exercise it; and, as he was always happy when he could concur with the requisition of the right honourable gentleman, he would state the outline, without feeling any prejudice to the person who had called for it; but, he begged to have it understood, that what he was about to statewas not to be a matter of debate at that moment, nor were any arguments then to be raised upon it. He proceeded to declare, that, however decided he might be in his opinion against the whole, or any part, of the regal power being vested in the Prince of Wales, as a matter of right, in any way in which that right had been explained, he was equally ready to say, that, as a matter of discretion, and on the ground of expediency, it was, in his opinion, highly desirable, that whatever part of the regal power it was necessary should be exercised at all, during this unhappy interval, should be vested in a single person, and that this person should be the

Prince of Wales: That he also thought it most consistent with true constitutional principles, and most for the public convenience, that his royal highness should exercise that portion of authority, whatever it might be, unfettered by any permanent council, and with the free choice of his political servants. With regard to the portion of royal authority which ought to be given, or that which ought to be withholden, it would be premature, in this stage, to enter into the particular discussion of it: he had no objection, however, even now, to declare in general, that whatever authority was necessary for carrying on the public business with vigour and dispatch, and for providing, during this interval, for the safety and interests of the country, ought to be given; but on the other hand, any authority, not necessary for those purposes, and capable of being, by possibility, employed in any way which might tend to embarrass the exercise of the king's lawful authority, when he should be enabled to resume it into his own hands, ought to be withholden; because, from its being given, more inconvenience might arise to the future interests both of the people and of the crown, than any which could arise, in the mean time, from its temporary suspension.

Mr. Pitt added, that he could justify the principles of this explicit declaration of his intention, on the ground, that, whatever was given to the regent, or withholden, ought to be given, or withholden with a view to the moment when his Majesty should be capable of resuming his rightful prerogatives; a circumstance to which it peculiarly became him to look, in the situation in which he stood, honoured with the confidence of a sovereign to whom he was bound, and strongly attached, by the ties of gratitude and duty;—but of that he would say no more. Whatever judgement might be formed of what he had declared, he was conscious of having given a free and an honest opinion, and was satisfied with that consciousness. He conceived, it could not be thought necessary for him to go any farther into the subject, as the adjustment of the whole proceeding must rest with the committee on the state of the nation, where it would be necessary to come forward with the different propositions separately, and to

proceed, step by step, to mark and define, by distinct resolutions, what parts of the royal prerogative should be given to the regent, and what withholden.

The motion was agreed to.

December 16, 1788.

THE House, conformably to the order of the day, resolved itself into a Committee of the whole House, on the consideration of the State of the Nation, Mr. Brook Watson in the chair; when

MR. PITT rose, and, having premised that the house were then in a committee to take into consideration the state of the nation, under circumstanees the most calamitous which had befallen the country at any period, remarked, that it was then a century ago since any point of equal importance had engaged the attention of that house. The circumstance that had then occurred was the revolution; between which, however, and the present circumstance, there was a great and essential difference. At that time, the two houses had to provide for the filling up a throne, that was vacant by the abdication of James the Second; at present they had to provide for the exercise of the royal authority, when his Majesty's political capacity was whole and entire, and the throne consequently full, although, in fact, all the various functions of the executive government were suspended, but which suspension they had every reason to expect would be but temporary. There could, he said, be but one sentiment upon that head, which was, that the most sanguine of his Majesty's physicians could not effect a cure more speedily than it was the anxious wish of every man in that house, and every description of his Majesty's subjects, that his cure might be effected, and that he might thence be enabled again to resume the exercise of his own authority. During the temporary continuance, however, of his Majesty's malady, it was their indispensable duty to provide for the deficiency in the legislature, in order that a due regard might be had to the safety of

the crown, and to the interests of the people. The first report before the committee established the melancholy fact that had rendered their deliberations necessary; the second contained a collection of such precedents, selected from the history of former times, as were in any degree analogous to the present unfortunate situation of the country; and, although he would not undertake to say that still more precedents might not have been found, yet, such as the report contained would serve to throw a considerable degree of light on the subject, and point out to the house the mode of proceeding most proper to be adopted.

Notwithstanding the magnitude of the question, what provision ought to be made for supplying the deficiency? there was a question of a greater and still more important nature, which must be discussed and decided first, as a preliminary to their future transactions, with a view to the present exigency. The question to which he alluded, was, Whether any person had a right, either to assume or to claim the exercise of the royal authority, during the incapacity and infirmity of the sovereign; or, whether it was the right of the lords and commons of England to provide for the deficiency in the legislature, resulting from such incapacity? On a former day, he had stated, that, in consequence of an assertion having been made in that house, that a right attached to his royal highness the Prince of Wales, as heir apparent, to exercise sovereign authority, as soon as the two houses of parliament declared his Majesty, from illness and indisposition, incapable of exercising his royal functions, it appeared to him to be absolutely and indispensably necessary, that the question of right should be first decided by the committee, before they took a single step to provide for the deficiency of the third estate of the realm. By the assertion of the existence of such a right, no matter whether a right that could be assumed in the first instance, or a right which attached, after the declaration of both houses of parliament, that his Majesty was incapable, a doubt had been thrown upon the existence of what he had ever considered as the most sacred and important rights of the two

houses; and it became absolutely necessary for them to decide that doubt, and, by such decision, ascertain whether they had a power to deliberate, or whether they had only to adjudge, that such a right as had been mentioned was legally vested in his royal highness the Prince of Wales. The most embarrassing difficulties had, indeed, been thrown upon their proceedings, by the assertion, that such a claim existed; and although he was free to confess, that the assertion had not been made from any authority, and that they had since heard, though not in that house, that it was not intended that the claim should be made, yet, having been once stated, by a very respectable member of that house, as his opinion, it was an opinion of too much importance to be passed by unnoticed. He would intreat the house to remember, however, that he had not stirred the question of right originally. If, therefore, any serious danger were actually to be dreaded, by its being discussed and decided, that danger and its consequences were solely imputable to the first agitator of the question, and not to him. Had the doubt never been raised, an express declaration on the subject had not been necessary; but, as the matter stood, such declaration must be made one way or the other. He begged, however, that it might not be imputed to him, that he was desirous of wasting time in bringing forward any abstract, or speculative, or theoretical question. An abstract question, in his conception of it, was a question wholly unnecessary, the discussion of which could answer no end, nor could its decision afford any light to guide and assist them in their proceedings. Of a very different nature was the question of right; it was a question that stood in the way of all subsequent proceeding, the resolving of which must necessarily decide the whole of their conduct, with regard to the present important business; they were not free to deliberate and determine, while the doubt of an existing right or claim hung over their heads; they could not speak intelligibly, or to any purpose, until they knew their proper characters, and whether they were exercising their own rights for the safety of the crown, and the interests of the people, or whether they were usurping that which had never belonged to

them. On that ground it was, that he had declared the question of right not to be an abstract question, a speculative question, or a theoretical question.

The first information which the papers that had been referred to the committee afforded, was that which he should make the first resolution. It was a resolution of fact, as the ground of those that were designed by him to follow it; a resolution, stating that of which the language of all his Majesty's physicians afforded sufficient proof, that his Majesty was incapable, from illness, of coming to his parliament, or attending to any public business, whence arose the interruption of the exercise of the royal authority. To that resolution of fact, he conceived there could not be any objection. His next resolution would be the resolution of right, couched in part in the words of the bill of rights, and stating, "That it was the right and duty of the lords spiritual and temporal, and of the house of commons, as the rightful representatives of all the estates of the people of England, to provide for the deficiency in the legislature, by the interruption of the exercise of the royal authority, in consequence of his Majesty's incapacity through indisposition."

Here Mr. Pitt renewed his arguments in support of the claim of the two houses of parliament, declaring that, under the present circumstances of the country, it was his firm and unalterable opinion, that it was the absolute and undeniable right of the two houses, on the part of the people, to provide for the revival of the third estate. He declared, he would state the point at issue between him and the right honourable gentleman* opposite to him fairly. He wished not to take any advantage of any shades of difference between them, but to argue upon the solid and substantial difference of their opinions. If he had conceived the right honourable gentleman properly, he had asserted, that, in his opinion, the Prince of Wales, as heir apparent, upon the incapacity of the sovereign to exercise the sovereign authority being declared, had as clear, as perfect, and as indisputable a right, to take upon himself the full exercise of all the authorities and prerogatives of his father, as if his Majesty had undergone an actual

* Mr Fox.

demise. If it could be proved to exist by any precedents drawn from history, or founded in law, or by the analogy of the constitution, he wished to have been told what those precedents were, because, in that case, the ground would be narrowed, and the proceedings of the committee rendered short and simple, as they would have no power nor occasion to deliberate; the only step they could take would be to recognize the claim of right. That claim of right, however, he flatly denied to have any existence capable of being sustained by such proof as he had mentioned. The right of providing for the deficiency of the royal authority, he contended, rested with the two remaining branches of the legislature. He professed himself exceedingly happy to hear that a declaration had been made in another place, from high authority, that the right stated by the right honourable gentleman in that house, to have existence, was not meant to be urged by a great personage. He came that day, confirmed in every opinion which he had before stated; and particularly confirmed in the opinion that no such right or claim in the Prince of Wales, as heir apparent, to exercise the royal authority during the incapacity of the sovereign, could be proved, either from precedents drawn from history, or from the law, or from the spirit of the constitution.

He begged leave to remind the committee, that when the right honourable gentleman first mentioned the right of the Prince of Wales in this particular, the right honourable gentleman had declared he was willing to wave the motion for a committee to search for precedents, because that he was persuaded, and the house must allow, that no precedent could be found that bore upon the particular case, of a Prince of Wales, the heir apparent to the crown, being of full age, and capable of taking on himself the exercise of the royal authority, under such circumstances as the present. There certainly was no case precisely in point; but, though the committee above stairs could not find a case precisely in point, they had furnished the house with many precedents, from which analogies might be drawn. He called upon the right honourable gentleman opposite to him, to point out a

single case analogous to the infancy, infirmity, or illness of a sovereign, in which the full powers of sovereignty were exercised by any one person whatever. If the right attached to his royal highness, under the present circumstances, in the same manner as on the demise of his father, an heir presumptive would succeed as perfectly as an heir apparent, and, in pursuance of that doctrine, those precedents that would attach in the one case, would attach in the other. For precedents that were analogous, he would refer the committee to the report on the table; the precedents in which, though they might not throw all the light on the subject that could be wished, certainly tended to elucidate it considerably. He would refer to some of the precedents, and convince gentlemen, that their result formed the most undeniable proof, that no such a right existed as had been pretended.

The first precedent was taken from the reign of Edward the Third, when no heir apparent had claimed the exercise of the royal authority. The parliament of those days, whether wisely or not, was no question before the committee, provided a council about the kings person to act for him; a clear proof, that they conceived the power existed with them to provide for the exercise of the royal authority. The next precedent was in the reign of Richard the Second, when counsellors were also appointed to exercise the regal power. The third precedent occurred in the infancy of Henry the Sixth. At that time the parliament were called together by the young king's second uncle, the first being still living, but out of the kingdom; and that act was ratified by parliament, they not considering it sufficient that it was done by the authority of the duke. In that instance, again, it was clear, that the regency was carried on by the parliament. These three instances were the principal of those stated in the report of the committee; subsequent precedents would prove, that no one instance could be found of any person's having exercised the royal authority, during the infancy of a king, but by the grant of the two houses of parliament, excepting only where a previous provision had been made. Having thus far mention-

ed the power of parliament, during the infancy of a king, he observed, that he would next state their power during the king's absence; and if, in that case, it should be asserted, that the heir apparent had a right to exercise the royal authority, let the committee consider how the assertion would stand.

It had been advanced, that, in the majority of such cases, the power had been given to the Prince of Wales. If such cases could be adduced, they would, he owned, be cases in point; but, then, to prove what? To prove, that such heirs apparent possessed no inherent right. If a right existed to represent the king, it must be a perfect, and an entire right, a right admitting of no modification whatever; because if any thing short of the whole power were given, it would be less than by right could be claimed, and consequently an acknowledgment that no such right existed. But, could any such cases be pointed out? By a reference to the ancient records, it would be found, that the *custos regni*, or, *lieutenant for the king*, had never been invested with the whole rights of the king himself. The powers given to the *custos regni* had been different, under different circumstances; a plain and manifest inference then arose that the *custodes regni* did not old their situation as a right, but by appointment. The powers of bestowing benefices, and doing other acts of sovereignty, had been occasionally given to the *custodes regni*, which shewed that their powers had been always subject to some limitation or other. In modern times, lord-justices had been frequently appointed to the exercise of sovereign authority, during the residence of a prince of age in the country. Another instance that occurred to him was, where the exercise of royalty had been interrupted by severe illness, and which appeared to him to be more a case in point than any other, to the present melancholy moment. The example to which he alluded was the precedent of Henry the Sixth; where the heir apparent was not of full age. It would, then, to supply the defect of that precedent, be necessary to have recourse to the principles of the constitution, and to the laws of the land; and, upon this ground, it would be discovered, that the parliament of that day provided for the mo-

ment; that they were not content with such provision, but, that they looked forward to the time when the heir apparent should attain full age, granting him a reversionary patent, the same precisely with the regent's, to take place when he should come of age. Thus, though they provided for allowing him at that period more considerable powers than they had suffered him before to possess, they had still not granted him the full powers of sovereignty, but had made such limitations, as proved their most positive denial of any right existing. That instance, though a single one, and where the heir apparent was not of full age, was sufficient to shew the sense of parliament in those days, as much as if the heir apparent had been of full age.

If no precedent contrary to those which he had stated to the committee could be advanced, he should presume, that the committee would, of course, admit that no right existed with an heir apparent, or an heir presumptive, to assume the functions of royalty on the temporary incapacity of the sovereign; nor any rights but those delegated by the two remaining branches of the legislature. He scrupled not therefore to declare, that no positive law, nor the least analogy from any law, could be adduced to support the doctrine of right. A record had, indeed, been quoted elsewhere [the house of lords] to prove that the king and the heir apparent were one and the same person, and that it followed of course, that, on the incapacity of the king, the heir apparent had a legal and clear right immediately to exercise the same powers that the king had possessed: but, a different opinion was entertained of that record by persons of great eminence and authority in the law, and by their opinion a far different conclusion was drawn from the same record, the metaphorical expression of which was not to be taken literally. Another opinion which had been started, was, that if parliament had not been sitting, in such a case the prince would have a right to assume the royal authority, and summon parliament. But this position he should expressly contradict; because, those who were, like him, standing up for the rights of parliament, and, through parliament, for the rights of the people, were peculiarly fortunate

in one particular; they were as fortunate as most of those, who had truth and justice on their side, generally were, because little was left for them to do, except to controvert and overcome their antagonists by stating to them, and comparing their own arguments and assertions, made at different times, and as the occasion suited.

It had been pretty strenuously contended elsewhere by a learned magistrate,* who had chosen to force his own construction on their silence, that our ancestors, if they had entertained any doubt of the right of an heir apparent, would, in their wisdom, have provided for so possible a case as the present; and yet instead of leaving the interpretation of this point to that learned lord's wisdom, it must be concluded by the committee, that they would have provided for it in plain, distinct, clear, and express words, and would not have left it liable to be differently understood. The wisdom of our ancestors, however, he conceived, was better proved by their having said nothing upon it, but left such a question to be decided were it ought to be decided, whenever the occasion required it—by the two houses of parliament. That the committee might assert the same, he meant, in the resolution he should offer, to quote that doctrine from the bill of rights, and assert that it rested with the lords and commons, as the rightful representatives of the people. If the contrary doctrine was so evident that it must be true; if the heir apparent, or heir presumptive, had a clear right to assume the royal prerogative, on the interruption of those powers, he desired to ask every gentleman in the committee, whether they would wish to adopt such a doctrine as a doctrine applicable to the safety of the crown, which had been long gloriously worn by his majesty, and which it was the ardent, the sincere wish of his people that he might long continue to wear, until it should, in due time, and in a natural manner, descend to his legal and his illustrious successor? Mr. Pitt here strongly deprecated the idea of avoiding the discussion of what limitations might be necessary for insuring the safety of the crown on the head of its present

* Lord Loughborough.

possessor, on account of the many virtuous qualifications of the prince, or out of respect to any other motive whatsoever. It would not have been wisdom in our ancestors had they said, that the care of the person of the sovereign ought to be vested in the heir apparent. He hoped, in this declaration, that he should not be misunderstood, for, he was ready to acknowledge the greatest and best qualities in the present heir apparent; but he would rather, in what he had said, be misrepresented in any manner, and any where, than sacrifice the duty which he owed to the safety of his sovereign, and to the interests of the people.

The right honourable gentleman opposite to him had said, on a former day, that his royal highness had as clear a right to the exercise of the sovereign authority, as he would have had in case of the natural demise of the sovereign, and that he conceived the present to be a *civil death*. Could the committee so consider his Majesty's indisposition, which was not an uncommon case, and generally but temporary—could they conceive that his Majesty had undergone a *civil death?* He was sure they would not. If such a thing existed at the present moment as a *civil death*, his royal highness would immediately ascend the throne, with the full exercise of the royal prerogative, and not as a regent; for a *civil death*, like a natural death, was permanent. He stated from Mr. Justice Blackstone, that there were but two cases in which a man could undergo a civil death; the first was his being banished from the realm by process of common law; the second, his having entered into a religious order, and becoming a monk professed, thereby taking himself for ever from all secular concerns. The first was an act which cut off a criminal from society within the realm, and the other was the voluntary act of retiring from the world. Would any man pretend, that either of those cases was analogous to the visitation of Heaven, to a stroke inflicted by the hand of providence, which might, and probably would, prove temporary? Could it be pretended, that they ought to be adduced as acts to prevent his Majesty in future from exercising those powers which he had never forfeited, which he had never renounced?

After having advanced so much in contradiction to the claim of right, he believed no one would think of asserting it. The only question, then, was, and to which what had passed before was but preliminary, where did the right exist? If no provision in precedent, in history, or in law, was to be found, for the exercise of such authority, on the disability of the sovereign, where was it to be found? It was to be found in the voice, in the sense of the people. With them it rested; and though, in extraordinary cases, in most countries, such an event as the calamity which all deplored, would have gone near to dissolve the constitution itself; yet, in this more happily-tempered form of government, equally participating the advantages, and at the same time avoiding the evils of a democracy, an oligarchy, or an aristocracy, it would have no such effect; for, though the third estate of the legislature might be deficient, yet the organs of speech of the people remained entire in their representatives, by the houses of lords and commons, through which the sense of the people might be taken. The lords and the commons represented the whole estates of the people, and with them it rested as a right, a constitutional and legal right, to provide for the deficiency of the third branch of the legislature, whenever a deficiency arose; they were the legal organs of speech for the people; and such he conceived to be the true doctrine of the constitution. He would not merely state these as his own opinions, but he would state them to be the opinions of those who had framed the revolution, who had not, like the committee, to provide for the interruption of regal powers, while the throne was full, but to supply the deficiency of the third branch of the legislature, which was wholly vacant. Whenever the third branch, however, of the legislature was wholly gone, or but suffered a suspension, it was equally necessary to resort to the organs of the people's speech. Agreeably to the laws of the land, to the records of parliament, to precedent, and to the constitution, the political capacity of the king, except in cases of absolute forfeiture of the crown, was always considered as legally entire; and during that political capacity, according to the spirit of the constitution, if any natural incapacity should

cause a suspension of the royal authority, it then rested with the remaining branches of the legislature to supply such defect. In every proceeding of the parliament, in the reign of Henry the Sixth, they had acted upon such a power, and declared in what manner, and by whom, the royal authority was to be exercised for, and in the name of, the king. In that reign, the Duke of Gloucester, claimed the regency, and applied to parliament for the same as his right; but the answer of parliament to such claim was, that he neither had by birth, nor by the will of his brother, any right whatever to the exercise of the royal authority. They, however, appointed him regent, and entrusted him with the care of the young king. Here was an instance of the claim of right having been actually made, and an instance, likewise, that it had been fully decided upon by the then parliament, who declared, that no such right existed, either from the law of the land, or from precedent. The rights of parliament were congenial with the constitution.

Mr. Pitt referred the committee to every analogy that could be drawn from the principles of the constitution, and he contended, that the only right would be found to exist in parliament, describing it as a right capable of so effectually providing for the deficiency of the third branch of the legislature, as to enable them to appoint a power to give sanction to their proceedings, in the same manner as if the king was present. As the power of filling the throne rested with the people at the revolution, so, at the present moment, on the same principles of liberty, on the same rights of parliament, did the providing for the deficiency rest with the people. He declared, that he felt himself inadequate to the great task of stating the rights and privileges of the constitution, and of parliament; but he had made it appear, as plainly as he could, that no right existed any where to exercise the whole, or any part, of the royal prerogatives, during the indisposition of the sovereign. He had also proved, that, from the necessity of the case, it rested with that and the other house of parliament, to provide for the deficiency in the legislature He supposed that doubts might be stated as to the propriety of

coming to any decision on the question, and that he might be charged with having stirred notions dangerous to the state; but such questions, he begged it to be remembered, he had not stirred. When questions concerning the rights of the people, the rights of the parliament, and the interests of the nation, were started, it was necessary, if the house had a right on the subject, to exercise that right; it was their duty; it was a matter that could by no means be lightly given up. If it was their duty, in the present calamitous state of the nation, to grant power, they ought to know how they granted such power. They must decide, either in the manner of a choice, or as acting judicially, to recognize a claim of right; and if they recognized such claim, it would be an acknowledgment that they had no power to deliberate on the subject. If they did not come to some decision, they would confound their own proceedings, and it would be highly dangerous to posterity, in point of precedent. They were not, therefore, to consult their own convenience. He remarked, that, originally, the claim of right had been asserted by the right honourable gentleman, in strong and lofty terms, but that the tone had been since somewhat lowered. He declared, he could see no possibility of the committee proceeding a single step farther, without knowing on what kind of ground they proceeded; and, therefore, it became indispensably necessary to have the question of right decided. The danger of the question originated in its having been stirred, not in its being decided; the danger of the stirring would be done away by the decision, but leaving it undecided, and equivocal, would be highly dangerous. The decision of both houses could be attended with no dissension, but, if the right of parliament was not confirmed, the measures of both houses would be imputed, he feared, rather to motives of personal interest and convenience, than to a due regard for the interest of the country. The measures which he meant to propose were dictated by no other motive than an anxious desire, in conformity to his duty, to provide for the safety of the king, the rights of parliament, and the interests of the people.

Mr. Pitt, previous to the conclusion of his speech, adverted to what he described as the opinions stated by a noble lord* in another place, in contradiction to his assertion, that the Prince of Wales had no more right to assume the regency, than any other individual subject. He said, that he understood, that in arguing that matter, some very extraordinary modes of reasoning had been resorted to. Among other conceived proofs that the rights of the Prince of Wales were different from those of other subjects, it had been contended, that the Prince of Wales was, in an old record, quoted by Lord Coke, pronounced one and the same with the king. The fact certainly was so; but to draw from such a circumstance an argument, that the prince had a right to exercise the sovereign authority, under the present circumstances of his Majesty's unfortunate incapacity, was an inference so monstrous, that he should think he deserved censure for sporting with the gravity of the house, if he suffered himself to treat it with the least gravity whatsoever. In truth, a very different conclusion might be drawn from the whole of that record, the metaphorical language of which was not to be taken in a literal sense, in that or any other point of so much importance. Another position, laid down at the same time, and in the same place, was, that the Prince of Wales, as heir apparent, and being of full age, could assume the exercise of the sovereign authority, if his Majesty's infirmity had occurred when parliament was not sitting: but that doctrine had been so expressly contradicted in that house, by the right honourable gentleman opposite to him, when the subject was last agitated, that it was needless for him to say a syllable more relative to its nature. A third argument, urged in support of the prince's right, was, that a Prince of Wales, when he came to the crown, could sue out an execution, as king, in a cause in which he had obtained a judgment as Prince of Wales. But what was there decidedly conclusive in this position? The reason why the Prince of Wales had this advantage over other subjects, was obvious. If the son of a peer, who had maintained a suit in the courts in Westminster-hall, and obtained

* Lord Rawdon.

a judgment, succeeded to his father's honours before he had sued out an execution, he could not sue out an execution, without previously identifying himself, and satisfying the court that he was the same person who had prosecuted the suit, and obtained the judgment. And why was not the Prince of Wales obliged to do the same? For this plain reason, the courts of Westminster-hall are holden in the name of the king, and therefore, in his own courts, it must be a matter of notoriety, that, on the demise of the crown, the Prince of Wales had succeeded to it, and become king: but were these arguments multiplied ten times over, what did they prove? Merely that the prince had rights, of some sort or other, peculiar to himself; but did they prove, that he had a right to exercise the sovereign authority, on his father's incapacity, without the consent and declared approbation of the two remaining branches of the legislature? No more than a proof, that a man having an estate in Middlesex, was a proof that he had another in Cornwall, and a third in Yorkshire. In fact, all these arguments put together, regarded and considered with a reference to the point in dispute, whether the Prince of Wales, as heir apparent, had a right to exercise the sovereign authority, during the incapacity of his Majesty, were so irrelevant, so foreign to the question, and so perfectly absurd, that they were not to be relied on as law, even if they came from the mouth of a judge.

With respect to the strong and lofty assertion that had been at first made of the right of the Prince of Wales, as heir apparent, to assume the exercise of the sovereignty, it was sufficient to observe, that this doctrine was retracted. Upon this occasion, he should beg leave to recall the word and say, not retracted, but disavowed. This reminded him of the precedent in the reign of Henry the Sixth, during which the Duke of Gloucester quarrelled with the Bishop of Winchester, which disagreement rose so high, and was carried so far, that at length the duke brought a criminal charge against the bishop, accusing him of having, in a former reign, advised the Prince of Wales, afterwards Henry the Fifth, to assume the sovereign authority in the life time of his

father, Henry the Fourth. Though this charge, if proved, would have been high treason, the bishop desired that it might be referred to the judges, and that its validity might be determined by the strictest investigation. The quarrel, however, was compromised, on grounds of personal convenience, and the charge never came to a legal decision.

Mr. Pitt having endeavoured, by many arguments, to establish the right of the two houses of parliament to provide the means of supplying the defect in the case of the king's incapacity to exercise the sovereign authority, expressed his hopes that he should impress the house with a conviction, that if they had a right, they had also a duty;—a duty, which neither their allegiance nor their affection to their sovereign would allow them to dispense with. It was their duty, at this time, not only unequivocally to declare their right; so that it might remain ascertained, beyond the possibility of all question hereafter, and become secured to posterity, but to proceed, without delay, to exercise their right, and provide the means of supplying the defect of the personal exercise of the royal authority, arising from his Majesty's indisposition. Upon no account did it appear probable, that their decision could either occasion a dissension between the two houses of parliament, or produce mischievous consequences of any kind whatsoever. On the contrary, if the right were not declared, as well as decided, it would appear that the two houses had made a compromise, unbecoming themselves, and had acted upon personal motives, rather than a due regard to the true interests of their country. Mr. Pitt then read his resolutions as follow;

I. "That it is the opinion of this committee, That his Majesty is prevented, by his present indisposition, from coming to his parliament, and from attending to public business, and that the personal exercise of the royal authority is thereby, for the present, interrupted.

II. "That it is the opinion of this committee, That it is the right and duty of the lords spiritual and temporal and commons of Great Britain, now assembled, and lawfully, fully, and freely

representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from his Majesty's said indisposition, in such manner as the exigency of the case may appear to require.

Resolved, "That for this purpose, and for maintaining entire the constitutional authority of the king, it is necessary, that the said lords spiritual and temporal and commons of Great Britain, should determine on the means whereby the royal assent may be given in parliament, to such bill as may be passed by the two houses of parliament, respecting the exercise of the powers and authorities of the crown, in the name, and on the behalf, of the king, during the continuance of his Majesty's present indisposition."

The first resolution was carried unanimously. Upon the second a long debate ensued, Lord North moving, as an amendment, "That the chairman leave the chair, report progress, and ask leave to sit again."

After Mr. Fox had spoken, MR. PITT rose to reply.

He observed, it was not without some astonishment that he discovered, that the right honourable gentleman* had thought proper, particularly in the latter part of his speech, to digress from the question of right, which was then before the house, in order to enter upon the question of expediency, and that not so much for the purpose even of discussing that expediency as to take an opportunity of introducing an attack of a personal nature on him. The house would recollect, whether the manner in which he (Mr. Pitt) had opened the debate, either provoked or justified this animosity. This attack, which the right honourable gentleman had just now made, he declared to be unfounded, arrogant, and presumptuous. The right honourable gentleman had charged him, as acting from a mischievous spirit of ambition, unable to bear the idea of parting with power, which he had so long retained; but not expecting the favour of the prince, which he was conscious he had not deserved, and therefore disposed to

* Mr. Fox.

envy and obstruct the credit of those, who were to be his successors. Whether to him belonged that character of mischievous ambition, which would sacrifice the principles of the constitution to a desire of power, he must leave to the house and the country to determine. They would decide, whether, in the whole of his conduct, during this unfortunate crisis, any consideration which affected his own personal situation, or any management for the sake of preserving power, appeared to have had the chief share in deciding the measures he had proposed. As to his being conscious, that he did not deserve the favour of the prince, he could only say, that he knew but one way, in which he, or any man could deserve it; by having uniformly endeavoured, in a public situation, to do his duty to the king his father, and to the country at large. If, in thus endeavouring to deserve the confidence of the prince, it should appear, that he in fact had lost it, however painful and mortifying that circumstance might be to him, and from whatever cause it might proceed, he should indeed regret it, but he could boldly say, that it was impossible he should ever repent of it.

The right honourable gentleman had thought proper to announce himself, and his friends to be the successors of the present administration. He did not know on what authority the right honourable gentleman made this declaration; but, he thought, that with a view to those questions of expediency, which the right honourable gentleman had introduced, both the house and the country were obliged to him for this seasonable warning of what they would have to expect. The nation had already had experience of that right honourable gentleman, and his principles. Without meaning to use terms of reproach, or to enter into any imputation concerning his motives, it could not be denied that they were openly and professedly active, on the ground of procuring an advantage, from the strength of a party, to nominate the ministers of the crown. It could not be denied, that it was maintained as a fundamental principle, that a minister ought at all times so to be nominated. He would therefore speak plainly. If persons, who possessed these principles, were

in reality likely to be the advisers of the prince, in the exercise of those powers which were necessary to be given, during the present unfortunate interval, it was the strongest additional reason, if any were wanting, for being careful to consider, what the extent of those powers ought to be. It was impossible not to suppose, that, be such advisers, those powers would be perverted to a purpose, which it was indeed impossible to imagine that the Prince of Wales could, if he was aware of it, ever endure for a moment; but for which, by artifice and misrepresentation he might unintentionally be made accessary, for the purpose of creating a permanent weight and influence, in the hands of a party, which would be dangerous to the just rights of the crown, when the moment should arrive, (so much wished, and, perhaps, so soon to be expected) of his Majesty's being able to resume the exercise of his own authority. The notice, therefore, which the right honourable gentleman in his triumph had condescended to give to the house, furnished the most irresistible reason for them deliberately to consider, lest in providing for the means of carrying on the administration, during a short and temporary interval, they might sacrifice the permanent interests of the country, in future, by laying the foundation of such measures, as might, for ever afterwards during the continuance of his Majesty's reign, obstruct the just and salutary exercise of the constitutional powers of government, in the hands of its rightful possessor, the sovereign, whom they all revered and loved.

The noble lord in the blue ribband,* like most of the gentlemen who had spoken on that side of the house, had argued, not against the truth of the resolutions, but the propriety of coming to them, and had waved any dispute on the question of right. The right honourable gentleman, though he affected, also, to object to the propriety of coming to this resolution, had directed his whole argument, as far as it went, to an invalidation of the truth, of the proposition, and the maintenance of his former assertion, in favour of the existing right of the Prince of Wales. This line of argument, supported by such authority,

* Lord North.

was itself an answer to those who doubted the propriety of any resolution.

The right honourable gentleman had ventured to represent him, as having declined maintaining his former assertion, "That the Prince of Wales had no more right to the regency, than any other subject in the country," and he had also intimated, that he had thus retracted, in consequence of believing that not twenty persons would join in supporting that proposition. But it so happened, that he did not retract one single word of that assertion. Gentlemen might quarrel with the phrase, if they thought proper, and misrepresent it, in imitation of the right honourable gentleman, in order to cover the arguments used by a noble lord* in another place. But he was in the recollection of the house, whether when he first used the expression, he had not guarded it, as meaning to speak strictly of a claim of right, not of any reasons of preference, on the ground of discretion or expediency. He was also in their recollection, whether the right he spoke of was any other than the specific right in question, namely, the right to exercise the royal authority, under the present circumstances. He had maintained, that the prince had no such right. If the prince had not the right, he could not be said to have any more right than any other subject in the country. But was it any answer to the assertion, that as Prince of Wales he had no right to the regency, to say that he had other rights, different from the rest of the king's subjects, but which had nothing to do with the regency? Yet all the rights of the Prince of Wales, which had been mentioned by the noble lord alluded to, were of this description. It would be just as reasonable if the question were, whether any person had a right to a particular estate in Kent or Surry? to argue, yes he has, for he has such and such an estate in Yorkshire, and in Cornwall. With regard to the question, whether twenty persons did or did not agree in his denial of the right of the Prince of Wales, he would put the whole on that issue, that if the Prince of Wales had any such right, the resolution he had moved could not be true; and

* Lord Loughborough.

he considered every person who differed from his assertion on that subject, as bound to vote against the present motion.

The right honourable gentleman, in discussing the question of right, chose also to remark, that the right of the two houses, and the right of the Prince of Wales, were to be considered as two rival rights, and that the only question was, in favour of which the arguments preponderated. He should be perfectly ready to meet the question on this issue, if it were the true one, for the right of the two houses was clearly supported, by precedent and usage, in every similar case, by express declarations of parliament, and by positive authority of law; yet the right of the Prince of Wales was not even attempted to be supported on any of those grounds, but on pretended reasons of expediency, founded on imaginary and extravagant cases. In fact, this was not the fair issue of the argument. The right of the Prince of Wales was not to be considered as a rival right, to be argued on the same grounds as the other. It was a right which could not exist, unless it was capable of being expressly and positively proved; whereas, the right of parliament was that which existed of course, unless some other right could be proved to exclude it. It was that, which, on the principles of this free constitution, must always exist in every case, where no positive provision had been made by law, and where the necessity of the case, and the safety of the country, called for their interposition. The absence of any other right, was in itself enough to constitute the right of the two houses; and the bare admission that the right of the Prince of Wales was not clearly and expressly proved, virtually operated as an admission of every point under discussion.

The amendment was negatived upon a division;

Ayes.....204

Noes.....268

And the second and third resolutions were then put and carried.*

* The following correspondence passed between Mr. Pitt and his Royal Highness the Prince of Wales, during this interesting discussion:

January 16, 1789.

THE House having, in pursuance of the order of the day, resolved itself into a Committee of the whole House, on the further consideration of the State of the Nation,

MR. PITT opened his remarks by expressing concern at perceiving that the particular situation of the country called upon

Copy of Mr. Pitt's letter to His Royal Highness the Prince of Wales, left at Carlton House, on Tuesday Night, the 30th of December.

"SIR,

"The proceedings in parliament being now brought to a point, which will render it necessary to propose to the House of Commons, the particular measures to be taken for supplying the defect of the personal exercise of the royal authority during the present interval, and your Royal Highness having some time since signified your pleasure, that any communication on this subject should be in writing, I take the liberty of respectfully entreating your Royal Highness's permission to submit to your consideration the outlines of the plan which his Majesty's confidential servants humbly conceive (according to the best judgment which they are able to form) to be proper to be proposed in the present circumstances.

"It is their humble opinion, that your Royal Highness should be empowered to exercise the royal authority in the name and on the behalf of his Majesty, during his Majesty's illness, and to do all acts which might legally be done by his Majesty; with provisions, nevertheless, that the care of his Majesty's royal person, and the management of his Majesty's household, and the direction and appointment of the officers and servants therein, should be in the Queen, under such regulations as may be thought necessary.---That the power to be exercised by your Royal Highness should not extend to the granting of the real or personal property of the King, (except as far as relates to the renewal of leases) to the granting of any office in reversion or to the granting, for any other term than during his Majesty's pleasure, of any pension, or any office whatever, except such as must by law be granted for life, or during good behaviour; nor to the granting of any rank or dignity of the peerage of this realm to any person except his Majesty's issue, who shall have attained the age of twenty-one years.

"These are the chief points which have occurred to his Majesty's servants, I beg leave to add, that their ideas are formed on the supposition that his Majesty's illness is only temporary, and may be of no long duration. It may be

them to exercise a right that had devolved upon them in consequence of the melancholy situation of his Majesty, which rendered him incapable of exercising the royal authority. Upon the present distressful occasion, it behoved them to provide the

difficult to fix before-hand, the precise period for which these provisions ought to last; but if unfortunately his Majesty's recovery should be protracted to a more distant period than there is reason at present to imagine, it will be open hereafter to the wisdom of parliament, to reconsider these provisions, whenever the circumstances appear to call for it.

"If your Royal Highness should be pleased to require any farther explanation on the subject, and should condescend to signify your orders, that I should have the honour of attending your Royal Highness for that purpose, or to intimate any other mode in which your Royal Highness may wish to receive such explanation, I shall respectfully wait your Royal Highness's commands.

"I have the honour to be,
"With the utmost deference and submission,
"SIR,
"Your Royal Highness's
"Most dutiful and devoted Servant,
"W. PITT."

Downing Street,
"Tuesday Night, Dec. 30, 1788."

Copy of the Paper delivered by the Prince of Wales to the Lord Chancellor, in reply to the letter sent to His Royal Highness from Mr. Pitt.

"THE Prince of Wales learns from Mr. Pitt's letter, that the proceedings in parliament are now in a train which enables Mr. Pitt, according to the intimation in his former letter, to communicate to the Prince the outlines of the plan which his Majesty's confidential servants conceive to be proper to be proposed in the present circumstances.

"Concerning the steps already taken by Mr. Pitt, the Prince is silent. Nothing done by the two houses of parliament can be a proper subject of his animadversion; but when previously to any discussion in parliament, the outlines of a scheme of government are sent for his consideration, in which it is proposed that he shall be personally and principally concerned, and by which the royal authority and the public welfare may be deeply affected, the Prince would be unjustifiable, were he to withhold an explicit declaraton of

means of supplying the deficiency; but, in doing so, he trusted that it must be the wish of every gentleman, that they should proceed in the manner the best calculated to give general satisfaction, and the most likely to secure the approbation of the

his sentiments. His silence might be construed into a previous approbation of a plan, the accomplishment of which every motive of duty to his father and sovereign, as well as of regard for the public interest, obliges him to consider as injurious to both.

"In the state of deep distress in which the Prince, and the whole Royal Family were involved, by the heavy calamity which has fallen upon the King, and at a moment when government, deprived of its chief energy and support, seemed peculiarly to need the cordial and united aid of all descriptions of good subjects, it was not expected by the Prince, that a plan should be offered to his consideration, by which government was to be rendered difficult, if not impracticable, in the hands of any person intended to represent the King's authority, much less in the hands of his eldest son—the heir apparent of his kingdoms, and the person most bound to the maintenance of his Majesty's just prerogatives and authority, as well as most interested in the happiness, the prosperity, and the glory of the people.

"The Prince forbears to remark on the several parts of the sketch of the plan laid before him; he apprehends it must have been formed with sufficient deliberation to preclude the probability of any argument of his producing an alteration of sentiment in the projectors of it. But he trusts, with confidence, to the wisdom and justice of parliament, when the whole of this subject, and the circumstances connected with it, shall come under their deliberation.

"He observes, therefore, only generally on the heads communicated by Mr. Pitt—and it is with deep regret the Prince makes the observation, that he sees, in the contents of that paper, a project for producing weakness, disorder, and insecurity in every branch of the administration of affairs. A project for dividing the Royal Family from each other, for separating the court from the state; and therefore, by disjoining government from its natural and accustomed support, a scheme for disconnecting the authority to command service, from the power of animating it by reward; and for allotting to the Prince all the invidious duties of government, without the means of softening them to the public, by any one act of grace, favour, or benignity.

"The Prince's feelings on contemplating this plan, are also rendered still more painful to him, by observing that it is not founded on any general principle, but is calculated to infuse jealousies and suspicions (wholly groundless, he trusts) in that quarter, whose confidence it will ever be the first pride of his life to merit and obtain.

people, which, he had the happiness to know, had generally attended every step which they had hitherto taken. He sincerely wished that every measure which he should have the honour to propose, might be fully discussed, and fairly decided upon; that

"With regard to the motive and object of the limitations and restrictions proposed, the Prince can have but little to observe. No light or information is offered him by his Majesty's ministers on these points. They have informed him what the powers are which they mean to refuse him, not why they are withheld.

"The Prince, however, holding as he does, that it is an undoubted and fundamental principle of this constitution, that the powers and prerogatives of the crown are vested there, as a trust for the benefit of the people; and that they are sacred only as they are necessary to the preservation of that poise and balance of the constitution, which experience has proved to be the true security of the liberty of the subject---must be allowed to observe, that the plea of public utility ought to be strong, manifest and urgent, which calls for the extinction or suspension of any one of those essential rights in the supreme power, or its representative; or which can justify the Prince in consenting, that, in his person, an experiment shall be made to ascertain with how small a portion of the kingly power the executive government of this country may be carried on.

"The Prince has only to add, that if security for his Majesty's re-possessing his rightful government, whenever it shall please Providence, in bounty to the country, to remove the calamity with which he is afflicted, be any part of the object of this plan, the Prince has only to be convinced that any measure is necessary, or even conducive, to that end, to be the first to urge it as the preliminary and paramount consideration of any settlement in which he would consent to share.

"If attention to what it is presumed might be his Majesty's feelings and wishes on the happy day of his recovery, be the object, it is with the truest sincerity the Prince expresses his firm conviction, that no event would be more repugnant to the feelings of his royal father, than the knowledge that the government of his son and representative had exhibited the sovereign power of the realm in a state of degradation, of curtailed authority, and diminished energy, a state, hurtful in practice to the prosperity and good government of his people, and injurious in its precedent to the security of the monarch, and the rights of his family.

"Upon that part of the plan which regards the King's real and personal property, the Prince feels himself compelled to remark, that it was not necessary for Mr. Pitt, nor proper, to suggest to the Prince the restraint he proposes against the Prince's granting away the King's real and personal pro-

the nature of the case, the general principles on which they ought to proceed, and the application of those principles, might be clearly and distinctly pointed out. In so doing, they would be best enabled to meet the emergency which called upon them, and to provide for the defect of the personal exercise of the royal authority.

The business of the committee lay in a very narrow compass, notwithstanding the voluminous reports on the table. In the report last delivered, there was abundant matter of confirmation to him of the propriety and prudence of those measures which he was, as the committee were aware, prepared to have proposed to them nearly ten days ago. But, though there was much material information in that report, there was no difference, in his opinion, in the ground of what he had to offer, as, on the former day, as well as on the present, the committee had more information before them than was sufficient to bear out all that

party. The Prince does not conceive, that, during the King's life, he is, by law, entitled to make any such grant; and he is sure, that he has never shewn the smallest inclination to possess any such power. But it remains with Mr. Pitt to consider the eventual interests of the Royal Family, and to provide a proper and natural security against the mismanagement of them by others.

"The Prince has discharged an indispensable duty, in thus giving his free opinion on the plan submitted to his consideration.

"His conviction of the evils which may arise to the King's interests, to the peace and happiness of the Royal Family, and to the safety and welfare of the nation, from the government of the country remaining longer in its present maimed and debilitated state, outweighs, in the Prince's mind, every other consideration, and will determine him to undertake the painful trust imposed upon him by the present melancholy necessity (which of all the King's subjects he deplores the most) in full confidence, that the affection and loyalty to the King, the experienced attachment to the house of Brunswick, and the generosity which has always distinguished this nation, will carry him through the many difficulties, inseparable from this most critical situation, with comfort to himself, with honour to the King, and with advantage to the public. "G. P."

"Carlton House,

"January 2, 1789."

he should submit to their consideration. Had he, on the former day, felt it necessary to state the ground on which he intended to have built his proceeding, he should have stated it thus, "That his Majesty was incapable of meeting his parliament, or attending to public business; that the unanimous opinion of his physicians was, that his Majesty's recovery was more probable than the contrary, and that all the physicians agreed that it was impossible to ascertain when that so much wished-for event might take place; but that those, who were more immediately conversant with the disorder with which his Majesty was afflicted, had declared that the majority were cured; and that one of the physicians, the most conversant of any, had stated, that the greatest length of time which he had ever known the disorder to continue, was a year and a half, or two years, that the shortest was three months, and that the average five or six months." In saying even that, he should have said more than was necessary for any argument on the principle on which he went. What they had to provide for, therefore, was no more than an interval, and he flattered himself that it would prove but a short interval. If, however, unfortunately, his Majesty's illness should be protracted, they might leave it to parliament to do what was at present clearly unnecessary—to consider of a more permanent plan of government. If they regarded the disorder not in itself incurable, every man must admit that the provisions ought not to be permanent. Mr. Pitt now recapitulated what had passed concerning the subject upon the Tuesday se'nnight, and the line of argument that had been adopted, which rendered it impossible for him to avoid giving way to a more narrow and minute enquiry than had before taken place; and, however he might feel pain on account of some particular points which had passed in the committee, he could not, upon the whole, but rejoice that he had given way, as it now appeared that the argument on which the right honourable gentleman over against him had relied, viz. that, because a month had elapsed since the former inquiry, his Majesty's cure was to be considered as the more improbable, was not grounded; and as, however much the physicians dis

agreed in other points, they were unanimous that the probability of the cure rested precisely on the same grounds as before; —a circumstance which, he was persuaded, would give as much pleasure to the right honourable gentleman as it had done to himself.

With regard to the difference of opinion between the physicians, as to the prospect of a recovery, it appeared to him to depend on two circumstances, by which it could be decided on whose opinion the greatest reliance ought to be placed. The first circumstance was the knowledge of the malady in general; and the second the knowledge of the particular case of the patient. Three of his Majesty's physicians had been conversant with the malady. Two others, though not so conversant, were well acquainted with his Majesty's habits. These two (Sir George Baker and Dr. Warren) attended his Majesty for two hours each day; the three others from the evening until eleven in the forenoon. Surely, it was natural for those who attended his Majesty most to be the best judges of his situation; and it was remarkable that Dr. Warren and Sir George Baker were the least confident of a cure, and the other doctors had much greater hopes; but Dr. Willis, who attended his Majesty more than any of the others, was more sanguine than them all. Sir Lucas Pepys stated circumstances which did not amount to a certainty of a cure, but which proved an abatement of his Majesty's disorder. Dr. Willis was of opinion that all the symptoms since the time of the last examination, were more favourable. In a word, all the physicians agreed in the probability of his Majesty's recovery, and that the length of the time had made no unfavourable changes: those, too, who understood the disorder best, thought it more favourable.

For his own part, he wished not to go at length into the particulars of the last report, on which the committee might safely rely, as there were those on the committee who were anxious to sift, with the most scrupulous accuracy, every point likely to prove his Majesty's recovery. There had been those who gave no considerable degree of credit to Dr. Willis; if, therefore, any

observations should arise from them, he conceived that they would be made in the same spirit, and with the same ability, as when they were urged in the committee above stairs. Upon this occasion, he felt it but common justice to commend the skill, integrity, and good sense of Dr. Willis, which were evinced under a severe cross-examination, calculated to puzzle simplicity, and leave the coolness which should, of necessity, accompany the delivery of evidence, too unguarded. However it might suit with the political intrigue of the times, or be convenient to circulate them at present in London and its environs, he would not anticipate the remarks which might be made; but, if there were any such remarks to be advanced, he desired, if they chose to discuss the credit of either this or that physician, that they might understand the nature of the imputation. In the course of the inquiry above stairs, a circumstance had come out, over which he would not draw a veil of delicacy, as he was not ashamed to bring it forward. If it be stated to the discredit of any physician, that he had submitted to be unduly influenced by a great personage, let the committee know to what physician the imputation of having consented to give an untrue account of the state of his Majesty's health applied: if an impropriety of transaction like that was imputed, he would not believe it till it was distinctly *ventural* to be said, and when he used the term *venture*, he did not mean to use it with regard to the exalted station of the person in question, but with regard to the transaction itself; nor did he (he repeated it) believe that any man would *venture* to charge blame of any kind on the respectable personage in question, who had lived for almost thirty years in this country without traduction, a pattern of the most unexampled affection, domestic tenderness, and virtue; against whom the breath of calumny had not dared to send forth even a whisper; and who could not merit it at a moment, when visited by a calamity which rarely befals a private person, but which surely was not a little aggravated when it becomes the lot of the family of a person in so exalted a rank as the sovereign of the country. As to the fact itself, it appeared that Dr. Warren allowed that apparent circumstances of an

amendment began to appear; and there was, in consequence, a wish on the part of her Majesty that the report might be such as should give the public the most favourable account of his Majesty's health; but would any man prove that any undue influence had been use for that purpose? Mr. Pitt explained in what manner the words, *a comfortable way*, had been introduced into the report, and then spoke of Dr. Willis, declaring that he was known in the country where he lived, by his character, and by the happiness which he had been the means of giving to the numerous families who were bound to bless him for the good effects of his skill. He mentioned another physician, whose character was likewise high, but declared that if he wished to draw a true conclusion of his Majesty's state of health, and prospect of recovery, he would wish to draw it from Dr. Willis, more than from any other physician.

At length, Mr. Pitt adverted to the situation for which they were to provide, and this situation was no less than the cessation of the personal exercise of the royal authority: a deficiency for which no previous provision had been made. As the cause of deficiency, he had every reason to think, would prove but temporary, they must deliberately consider what were the cases for which they were to apply a remedy. The first object for which they had to provide, was to secure the establishment of a government in the country, equal to its safety and the dispatch of public business. Out of the nature of such a provision another duty arose, of equal importance to the other; and this was, to take care that the measure embraced did not go beyond the necessity of the case. The committee were to provide powers for the exercise of the government, and they must take care to place those powers in proper hands; but, above all things, to recollect that they were not placing a king on the throne. They were to remember that the throne was full, that no right any where existed to exercise the royal authority, but that which was conferred by that house; they were to take care to provide against any embarrassment in the resumption of the regal authority, whenever God, in his providence, should permit the rightful holder again

to exercise it. They were to provide only for the necessity of the case, and not to exceed it; and therefore the measures which he should propose, would be to invest his royal highness the Prince of Wales with the whole royal authority, to be exercised in the name, and on the behalf of his Majesty, under such limitations and restrictions only as should be provided. The principle was not new, although the circumstances of the case happened to be unprecedented. No man would say, that the same power which the principal exercised ought to be given to the delegate; and if the house referred to precedents, they would find that no one instance could be met with of the whole of the royal prerogatives having been so delegated. On the contrary, every precedent which bore the smallest analogy to the present situation, evinced the direct contrary, and that, doubtless, with a view to facilitate and ensure the resignation of the delegate, when the principal should be competent to exercise or to resume his authority. Referring them to the act of Queen Anne, (the act of succession), the regency act of George the Second, and the regency act of the present king, Mr. Pitt added, let them look to the case of a sovereign disabled by infancy. Was the regent of the country invested with full and unlimited power to exercise the royal authority? Undoubtedly not. In the three regency bills in the statute books to which he adverted, were there not limitations? There were in every one. All the powers might be given, but then they were not given to one person. What was the principle in a case of minority? It was thought unsafe to vest all the powers in one person. He laid particular stress on the regency bill in the reign of George the Second, and observed, that there appeared at that time to have been a wish on both sides of the house to doubt what confidence should be placed in the regent. They were afraid of making a precedent, and therefore they gave the royal powers among many, appointing a council, without whose consent the regent could take no important step whatever. The will of the predecessor was, by one of the bills, to be the system followed, while the heir apparent continued a minor;—a principle which he owned he thought went too far,

although it was a plausible principle, and was apparently most applicable to the present case. After reasoning upon the three different precedents, and touching upon the short protectorate of Richard the Third, and the other protectorates or guardianships in the earlier periods of our history, and endeavouring to demonstrate by argument, that as, in no preceding instance, all the powers of royalty were given to one person, so, in the present instance, which certainly differed most essentially, they ought not to be, nor could they be, trusted in the hands of one person, without proving a hazardous, and, possibly, a prejudicial experiment, he declared that he would give his vote for investing the regent with all the powers which are necessary, but would not agree to give any which were not requisite to carry on the government of the country with energy and effect.

Mr. Pitt now observed, that he need not trouble the house with his first resolution, as he had already stated its substance and effect. The second resolution (which he read), was to restrain the regent from exercising one branch of the prerogative peculiarly inherent in the crown, and this was, the power of granting peerages, excepting to his Majesty's sons, being twenty-one years of age. This restriction he thought necessary, as the regent ought not to confer any grant which might produce difficulties and embarrassments, when the happy hour of his Majesty's restoration to his health should arrive. The object of investing the crown with the power of creating peers, was to enable the sovereign to distribute rewards to eminent merit, and to give the crown the means of choosing persons who should add to the number of one of the branches of the legislature. The creation of peers was one of those powers which belonged personally to the king. When he made this assertion, he scarcely meant to inculcate that it was the individual right of the king to create peers, but that it was an especial prerogative of the crown. He enumerated the grounds on which he conceived that the crown might exercise the privilege of making peers, and described what he regarded as the inconveniences which might follow from the regent having the power to make peers, contending it was possi-

ble that the consequence of the house of lords might be lost, the system of the country overturned, and the government end in a pure monarchy, an aristocracy, an oligarchy, or some resource equally distant from our present constitution. He desired, if he failed to enumerate any particulars connected with any part of the subject, to have them pointed out to him. He reasoned upon the sort of effect which (as he supposed) might arise from depriving the regent of the power of creating peers, merely for a time, observing, that surely it would not be contended, that for want of such an incentive for a few months, the country was likely to be deprived of the service of men of merit. If his majesty recovered, as they all hoped, and had reason to expect he would, the power of creating peers might be exercised by the rightful holder of the prerogative; but, if unfortunately his Majesty should grow worse, and be pronounced not likely to recover for a long time, parliament would have it in its power to take off the restriction, and vest the regent with a power, which, though not at present, he was ready to admit might in time become necessary to the carrying on of a powerful government. He mentioned the fluctuation of wealth and property in the country, and the propriety of occasionally raising monied men to the peerage, in order to give the landed interest its fair balance and share of the honours in the power of the crown to bestow. He alluded also to the sort of hands into which the conduct of public affairs was likely to fall, and said that, unless they had reason to expect a desperate confederacy and cabal to obstruct the public measures, he saw no sort of inconvenience which could result from a temporary withholding from the regent the power of making peers. As an abuse of the prerogative of making peers, he urged the possibility of such another confederacy and cabal forming (as had been convicted of a design to overthrow the constitution a few years since), who might give the regent advice which the crown would probably have rejected, and such a number of peers might be created, as might considerably embarrass the crown in carrying on the government, when his Majesty should be restored to his health. For his own part,

he meant to make no professions, but he desired that what he was going to say might be considered as the test of his future conduct; and, he declared, that he should not be found an opposer of the just and wise measures of the new government, which would remain to be discussed hereafter. He urged other arguments in the attempt to prove that the withholding of the power of making peers for a time was what they owed to the real interests of the country and the true sovereign; that it could not become prejudicial to the regent's government; and if it should threaten to grow detrimental, they would have the remedy in their own hands; a principle which was coupled with that of doing nothing beyond the real necessity of the case. At the first view, the principles which he had laid down might be supposed not to confine themselves merely to one branch of the legislature, and it could be contended, that, as the present house of commons had proved themselves so loyal to their sovereign, and attentive to the interests of his people, his Majesty would be happy to receive the congratulations of the same house of commons on his recovery; but a little more consideration would shew, that this would perhaps be reserving from the people an opportunity of shewing their sense of the conduct of their representatives; and no danger could accrue to the sovereign in sending them back to their constituents, if the regent should deem it wise or proper to embrace the measure, especially to a people whose loyalty had been so conspicuously manifested by the general and heartfelt sorrow expressed throughout the kingdom in consequence of his Majesty's melancholy situation and illness.

He now read the third resolution, which was a restriction preventing the regent from allowing any grant, patent place, reversion, or annuity for life, excepting in particular, unavoidable cases, such as to judges, and others. As this resolution ran so much upon the principle of the preceding one, Mr. Pitt said that it was unnecessary for him to go into farther explanation of it. The fourth resolution restrained the regent from exercising any power over the personal property of the king. Mr. Pitt on this occasion observed, that he scarcely thought it necessary to pass this resolution, as it was not proba-

ble that his royal highness would interfere with his Majesty's personal property in his life time; but, as they were acting upon parliamentary principles, he thought it his duty to submit it to the committee. The last resolution would be for entrusting the care of the royal person, during his Majesty's illness, where of course all men would be unanimous in agreeing that the royal person ought to be placed, in the guardianship of the Queen; and, with this trust, his intention was, to propose to put the whole of his Majesty's household under the authority of her Majesty, investing her with full powers to dismiss and appoint, as she should think proper. Without being invested with this control, he imagined that the Queen could not discharge the important trust committed to her care. He spoke of the officers of high rank in the household, who, though their places might justly draw forth the ambition of men of the first rank and family in the kingdom, were nevertheless only the first menial servants of his Majesty, and actually necessary to direct and superintend the greater part of his Majesty's household. He stated that these officers, such as the master of the horse, lord chamberlain, lord steward, and others, were, by many, thought high officers of state; but the fact was otherwise; they were the menial servants of the crown, and essential to its dignity and splendor. He argued against new-modelling the royal household, under the present circumstances, and spoke of the anxiety and pain which he conceived it must give his Majesty, to find all those whom he had chosen to be about his royal person discharged. Possibly, his Majesty's illness might continue but a few months, perhaps a few weeks; and, in such a situation, would it, he asked, be delicate and respectful to make a change? Those who were Lords of the bed-chamber, he admitted, did no great duty at present, but the equerries were employed. He owned, that this part of the arrangement was a matter of some difficulty; but when he considered what his Majesty would feel, when he waked from his trance of reason, and asked for those attendants, and was told that his subjects had taken advantage of his momentary absence of mind, and changed them, he flattered himself that no gentle-

man would object to such a mark of attention being paid to his Majesty. The regent, indeed, was different from the king; but, at the same time, the regent ought to have a retinue adequate to the importance and the high rank of his station; and he meant to propose that he should have such a retinue, which would unquestionably be some increase of expense to the country; but, as it was unavoidably necessary to appoint a regent, it was equally necessary to maintain the dignity of the character, and gentlemen would not, he conceived, grudge a little expense on such an occasion. He recurred again to the power to be lodged in the hands of the Queen, and urged the necessity of considering the rank of the King, the rank of the Prince of Wales, and the rank of the Queen, who was consort of the sovereign, and mother of the regent. It was not to be supposed, therefore, that the influence arising from the patronage holden by the Queen, would operate to the detriment of the regent's government; and, surely, to conceive as much, would be equally indecent and improper.

Mr. Pitt concluded with moving, "That it is the opinion of this committee, that, for the purpose of providing for the exercise of the King's royal authority, during the continuance of his Majesty's illness, in such manner, and to such extent, as the present circumstances of the urgent concerns of the nation appear to require, it is expedient that his royal highness the Prince of Wales, being resident within the realm, shall be empowered to exercise and administer the royal authority, according to the laws and constitution of Great Britain, in the name and on the behalf of his Majesty, under the style and title of regent of the kingdom, and to use, execute, and perform, in the name and on the behalf of his Majesty, all authorities, prerogatives, acts of government, and administration of the same, which belong to the king of this realm, to use, execute, and perform, according to the law thereof, subject to such limitations and exceptions as shall be provided."

On the first resolution being read, Mr. Powys moved as an amendment, to leave out all the words after the word "illness," and to insert, "And pre-

serving the constitution of Great Britain undisturbed, and the dignity and lustre of the crown unimpaired, his royal highness the Prince of Wales be appointed, during the present indisposition of his Majesty, and no longer, in the name of the King, and in his stead, to exercise and administer, according to the laws and constitution of Great Britain, the regal power and government, under the style and title of Regent of the Kingdom, and to use, execute, and perform, all prerogatives, authorities, and acts of government which might have been lawfully used, executed, and performed by the Regent and Council of Regency, constituted and appointed by an act of the 5th of his present Majesty, cap. 27."

The committee divided on Mr. Powys' amendment, which was rejected,

Ayes.....154
Noes.....227

the original resolution then passed.

Another division took place on the second resolution,

For it.....216
Against it 159

all the other resolutions, except that respecting the King's household, were then severally put and carried.

March 2, 1790.

Mr. Fox, in pursuance of the notice he had given, this day brought forward his motion for the repeal of the Test and Corporation acts,—concluding a long and eloquent speech with moving, "That the House will immediately resolve itself into a Committee of the whole House, to consider of so much of former acts as requires persons, before their admission into any office, civil or military, or any place of trust under the Crown, to receive the sacrament of the Lord's supper, according to the rites of the Church of England."

Mr. Pitt, in rising, declared, that he was anxious to deliver his sentiments at that early period of the debate, in reply to the right honourable gentlement,* on the present important question under discussion. He had, he said, stated his objections, on former occasions, to the motion; he should still continue to pursue the same line of conduct, with this difference only, that he was but the more strengthened and confirmed in his former

* Mr. Fox.

opinions upon the subject, and should therefore now restate them with greater force and confidence.

He considered both himself and the house under great obligation, however, to the right honourable gentleman, for his clear and candid statement of the precise object of the dissenters, in their present application; he had completely unravelled the mystery in which their views had been enveloped; and, in a plain, open, and manly manner, had exhibited the full extent to which his motion was intended to be carried. Had it ever been possible for him to be at a loss on the subject, his doubts must now forsake him. The important question at issue was simply and plainly this: Whether the house ought or ought not to relinquish at once those acts which had been adopted by the wisdom of our ancestors to serve as a bulwark to the church, whose constitution was so intimately connected with that of the state, that the safety of the one was always liable to be affected by any danger which might threaten the other? He, for one, was clearly convinced that we ought not to relinquish those great and fundamental principles upon which the prosperity of the state so much depended.

The right honourable gentleman's sentiments on the general principles of dissention and toleration coincided with his own; yet, he must take leave to differ from him in his definition of toleration which he had carried to an extent which, in his opinion, it would not bear. Toleration could, by no means, be considered as an equality; for it only consisted in a free exercise of religious tenets, and in the enjoyment of the protection of the laws. The dissenters had a right to enjoy their liberty and property; to entertain their own speculative opinions, and to educate their offspring in such religious principles as they approve. But the indispensable necessity of a certain permanent church establishment, for the good of the state, required that toleration should not be extended to an equality; for that would inevitably endanger such an establishment. Upon the supposition that every class of dissenters, agreeably to the extent of the right honourable gentleman's principles, were admitted to a full and complete equality

of participation, those would be admitted, who might conscientiously think it their duty to subvert the establishment; for not only Roman catholics, but also papists who acknowledge the supremacy of a foreign ecclesiastical prince, were not to be excluded until the commission of some overt act against the constitution. If this were once to be done, there would be an end for ever put to the wise policy of prevention, and a dangerous door would be opened to the absolute ruin of the constitution. He was ready to admit, that no citizen of a free state ought to be subject to any punishment for his speculative opinions; nor should even the publication of them, with moderation and decency, fall under the cognizance of the civil power: but he contended that the interest of individuals claiming pecuniary rewards, or lucrative employments, was very different from this, and that the public safety required, in his opinion, such a species of security for an establishment, as the test laws prescribed. Our very constitution had been saved by virtue of their sanction: had it not been for such bulwarks of defence, the family of Stuart might have been now in possession of the throne, and the right honourable gentleman had never had the opportunity of delivering those opinions in that house which they had that day heard. Although all cognizance of opinion might not be a warrantable ground for crimination, until the commission of some overt acts, yet he should ever contend, that an enquiry and test of a man's opinion, as the means of judging of his religious and constitutional principles, was highly expedient.

It had been exposed as extremely absurd that a test of religious tenets should be imposed upon persons about to occupy the meanest civil offices, while there was no enquiry into the religious opinions even of the members of the legislature. The fact was otherwise. In the oath of abjuration, a religious test was imposed on the constitutional tenets of the legislative body. The oath against transubstantiation was purely religious, and the oath of allegiance was a civil and political test of loyalty and civil obedience. But to have no test of

any kind was contrary to the genius and spirit of monarchy; much more, then, must the obligation of test laws be necessary to a government like ours, where the monarchy is limited. The executive power should be allowed undoubtedly the exercise of a right of discrimination into the fitness of individuals to occupy stations of trust, for which that branch of the government was always responsible. The benefit of the general community required the establishment of public offices; and, as a distinction in their distribution was highly conducive to the same important service, the idea of right to civil offices, then, was highly absurd and ridiculous: there could be no foundation for such extraordinary claim, unless it were agreed that the offices in question were created more for the advantage of those who occupied them, than as a trust for the benefit of the public; and that their salaries were to be defrayed upon the principle of a lottery, rather than out of the public treasury. While our constitution, however, had invested the executive power with the appointment of offices, the legislature had made a wise application of a limited monarchy, by restricting the supreme magistrate in the disposal of these offices.

Suppose the case of a republic, the government of which was the purest democracy, the officers of state elective out of the general body, where the most perfect equality existed. Now, imagine any form of religion, or superstitious ceremony, to be entertained and professed by a small part of the people, whose tendency might be to destroy the democratic equality, and, consequently, the constitution itself; would not the majority, with a view to the preservation of this constitution, be warranted in the exclusion of such an obnoxious party from the right either of electing, or being elected, to fill offices of trust in the state? Most undoubtedly. It should then be recollected, that the test laws under discussion were enacted with a direct view to the defence and preservation of our excellent constitution. They were to be regarded as a species of jealousy of the monarch, which had never been considered as unconstitutional. They had a direct tendency to check the influence of the royal prero-

gative, which was a circumstance never very unpopular in a free state; and he hesitated not to say, if any distrust were to be entertained of either of the three branches of the constitution, it ought to be of the executive power. The test laws, by abridging the prerogatives of the crown, in preventing the sovereign from employing persons in offices of trust, who could not give a certain pledge or security of their attachment to the government, guarded against all danger or abuse from this branch of the legislature. The persons excluded by the test laws from civil offices lay under no kind of stigma, in his opinion, more than those who were necessarily kept out of that house, or from voting at an election, in consequence of their disqualification by statute from their elective rights. It was a common policy which obtained in private life, for no man to admit another to the management of his affairs, whose principles he did not approve; the same policy should prevail in states. The exclusion of the dissenters, therefore, from civil offices, from a disapprobation of their political sentiments, could be no usurpation in the government.

The merits or demerits of individuals ought, most undoubtedly, to have no weight or influence in the discussion of the present question. Yet the conduct of the dissenters seemed to him liable to just reprehension; for when they were reprobating the test laws, they were loud in their complaints, and were appealing to the legislature for redress of their grievances; even at that moment, they discovered intentions of forming associations throughout the whole country, for the sole purpose of putting the members of that house to a test; of whose fitness and competency to discharge their parliamentary duty they were to judge from their votes upon this single question. They had, indeed, explained themselves, that it was far from being their intention to put a test to any one; but even in their explanation a test was evidently implied. For in their resolutions, under the signature of Mr. Jefferies, it was expressly declared, that the dissenters meant to favour such members with their support, who should prove themselves friends to civil and religious liberty.

Their construction and application of such terms must be obvious to every understanding. No man, in their estimation, would be regarded as a friend to civil and religious liberty who did not vote for the repeal of the test laws.

Although the right honourable gentleman had well expatiated on the excellence of toleration, yet he was not certain that the description of men, whose cause he had so ably pleaded, would be eminently distinguished for their candour, moderation, and tolerance, should they succeed in their application. He owned he was not prepared to repose implicit confidence in any fair promises they should make, from the suspicious circumstance of their applying for a repeal of the test laws, when, at the same time, they were threatening the legislature itself with a test. No individual, therefore, as he had contended, could either have a right to occupy, or be eligible to occupy, any official situation under a government like ours, especially if such an appointment too was likely to be attended with any political inconvenience; for when such an inconvenience ever exists, the claim of right must be utterly unfounded. The claim of the dissenters, therefore, to be admitted to civil employments, upon the ground of right, equally with the members of the establishment, must of necessity fall to the ground. He had no idea of such levelling principles as those which warranted to all citizens an equality of rights; as if the whole property, under the control of government, were equally to be distributed among the public again. The appointment to offices rested with government, which no citizen could claim as a matter of right. The dissenters ought not to consider themselves, by the operation of the test laws, as debarred from any right to fill official situations under government, nor ought their exclusion to be regarded as any stigma upon them; since the government, in concurrence with the majority, are of opinion that none ought to be admitted to civil employments, except members of the establishment. To ascertain this important circumstance, without exacting either promise or obligation from any individual of the community, the test laws are enforced.

Having now, he hoped, sufficiently argued the question on the ground of right, he should proceed to discuss its merits on the ground of policy and expedience. The reasons for the adoption of the test laws, by the wisdom of our ancestors, had not, in his opinion, ceased. Political expedience prohibited their abolition. To elucidate this matter he would inquire: First, whether an establishment was not necessary, and materially connected with the state? Secondly, whether the dissenters are not likely to exercise power, should they once have it in possession? Thirdly, would not the repeal of the test laws indulge them with that power? Fourthly, whether the dissenters labour under any practical inconveniences from the operation of the test laws? Fifthly, whether a repeal of them could take place consistently with the safety of the established church

The necessity of an establishment was generally admitted, he believed, in that house. The right honourable gentleman had declared it highly useful and advantageous: an argument from him, therefore, in support of this position, was unnecessary. A just panegyric had been pronounced from the same high authority, upon our present church establishment. It was said to be equally devoid of all unnecessary exterior ceremonies, as its interior rites were of superstition and enthusiasm. An argument to prove that the dissenters would exercise power when in possession of it, was also, in his opinion, useless; since the possession of power, it was well known, was always attended with a natural inclination to the exercise of it. Without intending to throw any stigma upon the dissenters, who were undoubtedly a respectable body, he did not hesitate, however, a moment in supposing it extremely probable that they might exercise their power to the subversion of the present establishment. Their conduct would not be reprehensible in acting from the principles they profess; for it became their duty as honest men, regarding as they do the established church as "sinful and bordering on idolatry," to act a conscientious and consistent part, by exercising every legal means in their power towards its subversion. To grant the dissenters such power, from a repeal of the test laws,

as might endanger the establishment; was highly impolitic. Such a national establishment of religion as ours, was capable of rendering essential services to the state; it was therefore entitled to the vigilant protection and support of the state in return. A national religion was calculated to meliorate the morals of the people, especially when its form was congenial to the civil constitution of the country.

He should not comment, he said, on the letters of the bishops, nor on the sermons of dissenting ministers, as he perfectly agreed in opinion with the right honourable gentleman, that matters of state ought not to be blended with religious duty. Such discordant mixture had been always attended with great mischief. It was the duty of men of such character to confine themselves to the purposes for which their employments had been instituted; to cultivate peace and good order; to instil into the minds of the public a rational love of Christian morality; to exhibit in their practice exemplarity of conduct for piety and virtue; to have no other competition than that recommended by the gospel, namely, who shall most contribute to promote the great ends of religion and morality. From such a contention, the state must derive the most important advantages; it were a warfare truly worthy the sacred title of religion. If an ecclesiastical establishment was necessary for the good of the state, as fact and experience had proved in many instances, both before and since the revolution; and as the power to be derived to the dissenters, from a repeal of the test laws, might endanger the church, and hazard the safety of our civil constitution, policy demanded the prevention of all possible danger to the state, from the prudent interference of the legislature, in rejecting every application, however respectable, that might lead to such serious inconvenience. The essence of policy consisted in the general good of the public: where the rights and interests of individuals, therefore, came in competition with those of the public, policy claimed precedence even of justice. Admitting the dissenters to endure some small practical inconvenience from the test laws, yet, if the general good and the public safety demanded such sacri-

fices, as he must contend they did, their appeal to the legislature for redress, in the nature of justice, ought to be rejected.

But it had been contended, that no danger whatever could possibly arise to the constitution, either in church or state, from a simple repeal of the test laws, and that the dissenters would rest satisfied, and would trouble the legislature for no farther indulgence, provided their present application proved successful. He would assure the dissenters, that he would neither deny them any right that belonged to them, nor would he refuse them any regulation which did not seem attended with any dangerous consequences; but as the object of their present application did, in his opinion, warrant a sufficient ground for apprehension and alarm, it was the duty of the house, as the faithful guardians of the constitution, to watch and repel the danger in due time. The dissenters had, the house would recollect, succeeded in their application about fourteen years ago, and obtained what had been considered as a completion of their toleration. It was then declared, both in and out of that house, that the dissenters intended to proceed no farther, if they only obtained the relief they then solicited; and Dr. Kippis, a man of no inconsiderable rank and esteem amongst them, in his letter upon the subject, declared, that after obtaining the toleration in question, they would ask no more of the legislature, but would retire, grateful and content, to their books and closets, impressed with a becoming sense of the great indulgence with which they had been favoured.

He must differ from the right honourable gentleman in his opinion, that if the test laws were once repealed, the dissenters would be desirous of proceeding no farther. Many gentlemen among them, who stood foremost in the present application, did, by their declarations, contradict such an opinion; they had openly avowed their disaffection to the constitution of the church; and although they had declared they were perfectly satisfied with the indulgence granted them by the legislature, and should apply no more, yet they had violated their promise by the present application; and from their professions, there was no judging with

what they would be satisfied. If the house should, in compliance with their wishes, consent to the repeal of the test laws, who could tell but their next application might be for an exemption from church dues? to which every argument advanced in support of the present question would equally apply. Now, an established religion had been admitted as necessary, useful, and advantageous to the civil government of a state; such an establishment ought, therefore, to be protected and supported by the government; and its expense should fall equally on all the members of the general community, in a certain proportion. A repeal, therefore, of the test laws could not, in his opinion, take place, consistently with the safety of the church, the security for the safety of which had not commenced at the revolution, as the right honourable gentleman had stated, but had been in existence long anterior to that date; and had there not existed such bulwarks of defence, previous to the revolution, that memorable event itself had never taken place. The continuation of the test laws was, then, highly expedient.

A reference had been made to the repeal of the test laws in Ireland, and no danger had ensued to the constitution. The situation of the Irish and English churches, he observed, were very materially different; the former found a security in the superior numbers of the catholics over the dissenters, which bore a proportion of six to one, and therefore needed not the same protection as the English church from the sanction of test laws: the repeal, too, having only recently taken place, we could not judge by experience of the consequences of its operation. The repeal of the test laws in Ireland was not, therefore, an instance in point, to warrant the adoption of such a measure in this country. The reference also to the kirk of Scotland having no test was equally inapplicable; as a test there would prove a very feeble barrier, since the majority of dissenters from the kirk conformed to the mode prescribed by law for the administration of the sacrament, and since the establishment of the presbytery had been sufficiently secured by a solemn pledge in the act of union. The allusion made to the French church, antecedent to the revo-

cation of the edict of Nantz, having no test laws for its protection, was also foreign to the present question. Had there prevailed less bigotry in those times, the church would have been secure, since the sovereign will of the monarch was the only law of the country. The right honourable gentleman's argument that no test laws existed in America, was as inapplicable as the other references and examples he had adduced in elucidation of his point. The American constitution resembled ours neither in church nor state; he most sincerely wished it had, in affording equal security for liberty and happiness to the subject. But in America there was no uniform established religion; no test laws were therefore necessary for the protection of such an establishment. Although the opinions of men were much divided at one time on the subject of the American dispute, while one party was contending that the revolting colonies ought to be coerced to obedience, and another was as strenuously insisting that they ought to be for ever abandoned, and the world in general was willing to believe that England could not exist independent of her colonies: yet the event, however, had happily proved the reverse of these different opinions; for, in the loss of the territorial government of the thirteen American colonies, Great Britain had sustained but a very inconsiderable diminution in her commerce; while she had to boast her deliverance and exemption from that load of expense which attended the support of the civil establishment of the states.

The test laws had been declared inefficacious and nugatory, as the legislature had been obliged every session to pass an act of indemnity. If the fact was so, the ground of all complaint of oppression must cease; for, from the right honourable gentleman's own argument, it was obvious that the laws were not enforced. Although the temperate forbearance of the government from the non-execution of the laws was truly laudable, when the danger was neither imminent nor alarming to the church, whose security and permanent safety was their object, yet to repeal the laws in question, because their execution was not always necessary, would be impolitic in the extreme; as the legis-

lature, in thus suffering the remedy to such danger to depart from their hands, might not very easily be able to recover such salutary influence, as might stem the torrent of danger in the hour of pressing emergency. So far was he from agreeing with the right honourable gentleman, that no danger whatever was to be apprehended, that he could easily conceive a man, with all the abilities of the right honourable gentleman, but without the integrity of his principle, who, influenced by ambition and corrupt views, might exercise his powerful talents in rousing the disaffected to an attack upon the church. Would there not, in that case, be real danger? Most certainly. To guard against danger to the constitution, however distant, was the indispensable duty of every member of that house, but of none more than of a person in the situation he had the honour to hold, with whom the safety of his country ought ever to be his principal object. He must, therefore, give his decided negative to the motion.

The motion was negatived;

Ayes.....105
Noes.....294

December 22, 1790.

THE order of the day having been read, for the house to resolve itself into a committee of the whole house to consider the state of the impeachment of Warren Hastings, Esq., Sir Peter Burrell took the chair of the committee: when Mr. Burke moved, "That it appears that an impeachment by this house, in the name of the commons of Great Britain in parliament assembled, and of all the commons of Great Britain, against Warren Hastings, Esq. late governor-general of Bengal, for sundry high crimes and misdemeanours, is now depending."

Mr. Erskine opposed the motion, and, in order that a committee might be appointed to search for precedents, he moved, "that Sir Peter Burrell leave the chair:" upon which a debate ensued of very considerable length.*

* The parliament had this year been dissolved: and the question to be decided by this debate (which lasted by adjournments for three days) was, whether an impeachment brought by the commons of Great Britain in parliament

Mr. PITT, in rising, requested the attention of the committee in that early stage of the discussion, while he submitted to their consideration his solemn and deliberate opinion upon the question at issue, the decision of which involved in it considerations of the first magnitude; the rights and privileges of parliament were concerned, which must remain ever inviolably sacred, or our valuable and excellent constitution was subverted and destroyed. Notwithstanding such display of ability, learning, and eloquence, on the part of the honourable gentleman opposite to him*, his arguments, however ingeniously and forcibly urged, did not impress his mind with that conviction which effected any change in his sentiments upon the point in question. Precedents had been consulted, with the laborious industry, no doubt, of many months investigation, by several honourable and learned gentlemen; but those adduced, upon the present occasion, in favour of impeachments abating upon a dissolution of parliament, were in number so few, and of such questionable authority in his opinion, as clearly to evince the imbecility of the cause, without the most distant reflection upon the abilities of the learned advocates who supported it. After the most diligent and accurate investigation in his power, of the subject under discussion, after deliberating for a length of time upon almost every possible ground on which it might be argued, he was come prepared to deliver his sentiments, how far impeachments were affected by a dissolution of parliament.

The first point, he said, which claimed the attention of the house in discussing the subject under their consideration, was to ascertain if any evidence existed of an uniform established practice observed by both houses in their conduct of impeachments, which was to be considered as the law of parliament in such cases. If there were precedents which clearly established the point, that, from the usage of parliament, impeachments did abate

assembled, in their own name, and in the name of their constituents, did not remain in *statu quo*, notwithstanding the intervention of a dissolution?

* Mr. Erskine.

by a dissolution, he would bow in silence to the authority, but would lose no time in providing a remedy against a practice whose tendency was hostile to the privileges of the house, and destructive of the liberties of the country. The authority of such precedents no one would say ought to be relied upon in preference to that of the fundamental principles of the constitution. But he was happy to find that there existed no evidence of such an uniform rule of parliamentary practice. From a dispassionate review of the different precedents, he was prepared to assert with confidence, and the sequel, he trusted, would abundantly justify the assertion, that impeachments did continue in *statu quo* from parliament to parliament, notwithstanding the precedents so much insisted upon by the honourable and learned gentleman in support of an abatement of such proceedings by a dissolution. That impeachments did not abate by a dissolution of parliament, was a principle sufficiently recognized and well established by many precedents in our history from the early times of antiquity. Cases perfectly in point might be adduced from the reigns of Richard the Second, and others; but he should only insist upon the case of the duke of Suffolk in the reign of Henry the Sixth, which indisputably proved that impeachments continued from one parliament to another. In his investigation of precedents, however, he did not mean to confine himself to the more doubtful decisions of antiquity, but should advance to more modern times, and advert to instances better ascertained and more applicable to his purpose. By the resolution of the lords in the year 1673, writs of error and petitions of appeal were made to continue from parliament to parliament; but it was contended, since no mention is made of impeachments in this resolution, that a dissolution of parliament operates an abatement of such proceedings. Now the very opposite conclusion was deducible from the report of the committee, which expressly stated that "writs of error, petitions of appeal, and other business of a judicial nature," ought not to be narrowed in their discussion, but to extend from parliament to parliament. Impeachments, therefore, as judicial proceedings, do not necessarily

abate by a dissolution. But in the order of 1678, impeachments are expressly mentioned, in common with writs of error and petitions of appeal, to continue from one parliament to another.

To this precedent, however clear and decisive, objections are taken to invalidate its authority. First, it was affirmed to have been a very precipitate proceeding. But how can this objection apply? Did it refer to any new matter not included in the former resolution of 1673? Clearly not. This order was only a deduction from the principles already laid down in the former decision; it could not then be a precipitate measure. But the critical juncture of affairs, during the ferment of party violence and of civil contention, might probably, it was said, contribute materially to that resolution which authorized the continuance of impeachments. This objection, too, must vanish the moment the circumstances of the times when the decision in question took place, are contrasted with those of the subsequent period when it was rescinded. In 1678, the proceedings of the lords were not influenced by any particular reference to some matter then depending; it was a general order, that writs of error, petitions of appeal, and impeachments, should survive a dissolution of parliament. Nor was this measure the production of any party violence or animosity; it was an unanimous decision founded upon the resolution of 1673, to serve as a standing precedent for the conduct of future impeachments. But what was the case of the reversal of this decision in 1685, so much depended upon as a precedent in favour of the abatement of impeachments by a dissolution? Was it not at the æra when James the Second, a bigoted and popish prince, had ascended the throne of these realms; when the parliament was obsequiously devoted to the will of the monarch; when the sacrifice of principle was required to be made to practical abuse by the prejudices of the times; when certain popish lords were about to be solemnly impeached who were the supposed favourites of the king? Under such circumstances, what was the conduct of parliament? They very probably thought that compliance was better than resistance at such a period; and therefore they determined, probably

with the best intentions, to rid themselves of the impeachments in contemplation, by rescinding the order of 1678. The professed object of this reversal, then, was to screen the nobleman in question from the impending danger of impeachment. He then would ask, against which of the decisions the objection taken from the circumstances of the times applied most forcibly; whether to the order of 1678, or to its reversal in 1685? Unquestionably the latter. The honourable and learned gentleman had therefore ably and successfully argued against himself; since by this objection he had clearly proved the one decision a good precedent, but its reversal a bad one. So much for the precedent of 1685.

The next objection to the order of 1678 was taken from the case of Lord Stafford. But how could this instance invalidate the authority of the precedent in question? Because it afforded the learned gentleman an opportunity of appealing to the passions, that, from his eloquent and pathetic description of the trial, conviction, and execution of this unfortunate nobleman, the committee might infer the injustice of the principle of continuing impeachments. But was that a legitimate and conclusive argument? Would not such reasoning prove adverse to the cause he attempted to establish? For, admitting the parliament, in this instance, to have acted improperly by continuing an impeachment, might not another parliament be equally culpable in dispensing with the continuance of such a proceeding? Suppose a delinquent impeached, and the charges of crimination alleged against him gone through, a dissolution of parliament takes place; would it not prove the extremity of injustice to stay the proceedings in such a house, by which the defendant would be precluded from entering upon his defence, and judgment of crimination or acquittal could not pass without a renewal of the proceedings *de novo*? His innocence or guilt must remain a subject of much doubt and suspicion. Would it not therefore be infinitely more expedient and proper for the honour and reputation of both parties, that such proceedings, conducted by one parliament, should be resumed in *statu quo* by another?—Upon

such a liberal principle the accuser would have every fair opportunity of making good his charges; and the accused would have equal liberty to establish his defence. Nothing short of this procedure could deserve the name of public justice. What! because the fate of one nobleman, from the continuance of impeachment, was supposed hard and oppressive, did it therefore follow that the exercise of such a privilege of the commons in every instance, would be attended with the same obnoxious consequences? If the abuse of an institution was a valid argument of its inutility, the objection might apply; otherwise the honourable and learned gentleman's pathetic expostulation would go for nothing; for in deciding upon the merit of a dry precedent, our passions ought not to interfere with our judicial deliberations. The validity of the order of 1678 stood therefore unimpeached; a precedent which neither eloquence nor sophistry can possibly invalidate.

The case of Lords Salisbury and Peterborough, adduced as a precedent in favour of an abatement of impeachments by a dissolution, is equally unfortunate; for there does not appear from the proceedings, any reference whatever, either to the order of 1685, or to any former decision upon the subject. The impeachment in question abated, not by virtue of any usage of parliament, but by the operation of an act of general pardon. The impeachment of Sir Adam Blair and others, did not apply; since no attempts were made to renew the prosecution, and they had been held to bail subsequent to a dissolution. Now, if the proceedings had abated in consequence of that event, the parties could not have been held to bail afterwards; the impeachment having determined, they must have been dismissed.—But as the proceedings were pending, unaffected by any dissolution, the parties were bound in a recognizance. The only just inference, therefore, from this case, clearly was, that impeachments did not abate in the manner it had been contended, by a dissolution of parliament. The same conclusion was evidently deducible from the impeachment of Lord Danby; for there cannot remain any doubt as to the sentiments then entertained by parliament; since he was clearly dismissed upon this principle, because the com-

mons had declined the prosecution. Now three dissolutions of parliament had obtained before he was discharged, It was evident if a dissolution operated an abatement of impeachments, Lord Danby must have been dismissed upon the first dissolution; nay, he would have been, upon that principle, discharged of course. But the case was quite otherwise; for parliament was repeatedly dissolved, and Lord Danby was as often detained, until at length, the commons declining to prosecute, he was discharged; so that the impeachment in question abated by the act of the commons, and not by the operation of a dissolution. In the cases of Lords Somers, Halifax, Portland, and the Duke of Leeds, impeachment abated in the same manner; the commons not prosecuting, the parties were severally discharged. Now, on which side of the question did the weight of evidence from precedents preponderate? Did not the scale fairly incline in favour of the continuance of impeachments from parliament to parliament? The right of the commons to prosecute an impeachment, until judgment was obtained, in his opinion, was clear, unequivocal, and indisputable, from the authority of such a body of precedents.

After investigating the evidence to be collected from precedents, the practice of parliament, during the last three years, was the next object of enquiry, in the present discussion. Parliament exercised two powers,—legislative and judicial, which had their separate and distinct limits and duration. The confusion of these powers was the principal source of all the doubts upon the present question. Lawyers had differed as much in their opinions respecting writs of error, and petitions of appeal, as upon impeachments; from such collision of opposite sentiments, much satisfaction could not be expected. A reference should, therefore, be made to the clear and established principle of the constitution, in order to remove every cloud of doubt or difficulty. Every act of legislation, it was well known, was terminated by prorogration, as well as by dissolution; but no judicial act was influenced by either. Impeachment, therefore, being a judicial proceeding, could not be affected by prorogation or

dissolution. In the case of writs of error, and of petitions of appeal, the process continued from session to session, and from parliament to parliament: much more necessary was it that the proceedings in an impeachment should also continue; for in the one case, there was only one individual against another, but in the other, the house of commons, and all the commons of Great Britain, were parties against a state delinquent. The impeachment in question was not the act of the late parliament, but of the whole commons of the realm; the proceeding being in the name both of constituents and representatives. It had been asked, if the house of commons, in this instance, were the attorneys of the people? In one sense they were considered as agents, consulting their own judgment and discretion, in the protection of the interests of their constituents. But they were not the attorneys of the people, as agents delegated with power to act merely by the instructions of their constituents. Such an acceptation of the term should have his heartiest abhorrence and reprobation. An impeachment had been commenced by the commons in the persons of their late representatives; such a proceeding ought not to be discontinued without due enquiry and deliberation; for the house stood in a similar situation with the successor of the king's attorney-general, in the present instance, who was always required to proceed with all the trials already commenced on the part of the king. But in law, it was said, there was no such body as the commons of England recognized: but would any one draw such an absurd inference from an accidental omission, that such a body had no real existence, which was to be regarded as the principal object of legislation in every civilized country? Our ancestors had, in their accustomed wisdom, sufficiently, in his opinion, guarded against such a supposed solecism in politics; by ordering all supplies to be granted in the name of the commons, as well as all impeachments to be laid in their name; when once a proceeding, therefore, assumed a judicial form, its existence no longer depended upon the persons who were immediately concerned in its institution. The house of commons were only the legal organ of instituting im-

peachments, as the attorney-general was of filing an information *ex officio*, or an indictment in the name of the king. The public prosecutors in the one case were the commons of the realm, and the king was the prosecutor in the other. From the consideration of the capacity in which the house, as a judicial and not a legislative body, acted in the conduct of impeachments, it therefore followed, that their proceedings, by the constitution, could not abate or be affected either by a prorogation or a dissolution of parliament.

His next ground of evidence in the discussion of the question, to which he requested the attention of the committee, should be taken from the decisions of the courts of justice, and the authority of eminent lawyers. The authority of the great and venerable Lord Hale was to be distrusted in the present instance, since writs of error, petitions of appeal, and impeachments, were considered by him as legislative, and not judicial proceedings. Now, all the legislative proceedings unquestionably abated by prorogation as well as dissolution; but impeachments, writs of error, and petitions of appeal are judicial proceedings which continue from session to session, and from parliament to parliament. The error of Lord Hale proceeded from his confounding the legislative with the judicial power in parliamentary proceedings. This mistatement appeared from a passage which he here read to the committee, in which writs of error, petitions of appeal, and impeachments, were said to abate, as well by prorogation as dissolution. Lord Holt entertained a different opinion upon the subject, since he had argued from the case of Lord Stafford, as a weighty and irrefragable precedent in favour of the continuances of impeachments and other judicial proceedings, from one parliament to another. Lord chief baron Commyns, an authority of the highest respectability in the courts of justice, was also decided in his opinion upon the subject; for, from a passage which he read out of his Digest, it appeared not only that impeachments continued, but that they should be resumed and prosecuted, until judgment was obtained, notwithstanding any contingent inter-

ruptions from either prorogation or dissolution. The authority of the legislature too, in the preamble to an act of the 13th of the king, by implication, was also favourable to the point he endeavoured to establish; besides many cases from Carthew's Reports; and other authorities, might be adduced, which abundantly proved it had been long held that impeachments were not affected by the operation of a dissolution. If such proceedings had abated, in consequence of such an event, it was evident that the course of public justice would be greatly interrupted. But there was neither precedent nor law which authorized such a deduction; and the continuance of impeachments was frequently rendered indispensably necessary, in order to produce a salutary operation, and to guard against their abuse. If impeachments were allowed to be a branch of the judicial power, they must necessarily have the same operation with the other acts of that power. Writs of error, petitions of appeal, as judicial acts, survived prorogation and dissolution; so also ought impeachments. To admit the continuance of the former, and to insist upon the abatement of the latter, by the operation of a dissolution, were the grossest absurdity: since, as judicial proceedings, they were branches of the same power, and their connection depended upon a permanent union of principle. Those who insisted upon the abatement of impeachments, were consistent, if they also insisted upon the abatements of writs of error and petitions of appeal; but when once the continuance of the latter was allowed, and the abatement of the former contended for, in consequence of a dissolution, then it was evident that impeachments were made, in one instance, a branch of the judicial power, and in another, an act of the legislative, to serve some particular purpose. Now such confusion of the two parliamentary powers he had noticed, should be studiously avoided, lest their proceedings were impeded by endless doubts and difficulties, and might terminate in a great oppression and injustice to individuals, and eventually tend to subvert our excellent constitution. The power of impeachments is a privilege of the first consequence to the liberties of

the country; it operated as a salutary check upon those in administration, and effectually guarded against every undue influence of the crown, in the protection of state delinquency. Ought the event of an impeachment, then, to depend upon the operation of a dissolution? No. If the exercise of this power were once to be influenced by such an event, there would be an end put to official responsibility; the most flagrant acts of corruption, oppression, and injustice, would pass with impunity; for the party impeached might procure, by his own interest, or the influence of his friends, a dissolution of parliament, in order to escape the punishment his offences might justly deserve. Voluntary exilement were, indeed, too heavy a punishment for injured innocence to endure, to avoid an unjust impeachment; but for the guilty delinquent to enjoy such an indulgence, would be no punishment, but rather a reward, for his villainy. The abatement of impeachments, therefore, by a dissolution of parliament, would throw an insurmountable obstacle in the way of public justice, and would deprive the house of a power the most formidable to a corrupt administration, whose exercise served as a shield and bulwark for the constitution.

As to the honourable and learned gentleman's objection, that no man can be a judge, *de jure*, in a court, without a competent knowledge of the whole proceedings; this was true, in an inferior court of judicature, but was not applicable to the house of lords: for this supreme court of judicature was liable perpetually to change its members in consequence of death, which naturally produced others as their successors. Supposing the new members were ignorant of the proceedings already had of the impeachment depending, what inconvenience could arise from that circumstance, when copies of the whole evidence were printed? They need ony refer for the requisite information to the journals. They had a right to judge from the minutes, upon the fidelity and accuracy of which they might always depend, since they were distributed not only among those peers who were present at the taking of the evidence, but among those who were absent, for their information. An impeachment was an extraor-

dinary case, which did not admit of being conducted upon the same rules with an inferior court of judicature. In the one case, judgment was formed upon printed evidence; but in the other, *viva voce* evidence was certainly requisite. Were the rules of the court of king's bench to obtain in the house of lords, the question would be wholly at an end, and the right of impeachment at once annihilated; since it were better to file an indictment in the one than prefer an impeachment in the other. But the foundation of impeachments was, to bring delinquents to justice, who would have escaped if tried according to the ordinary rules of the courts of judicature. The practice of the house of lords was incompatible with that of the other courts, in regard to *viva voce* evidence and decision, without separating. Notes were in constant practice, and written evidence consulted, without which it were impossible, in cases of impeachment, to reduce under one view the whole body of the evidence; for there were few instances in which impeachments did not occupy some days; written evidence were then as indispensable in a trial of ten days as of three years. But it was said, that in a long impeachment, in consequence of the constant change of the members in the house of lords, some who had been accusers, became judges. In reply, he observed, that there was no period of prorogation to which the same objection would not apply. The members who were so circumstanced, certainly could not be deprived of their judical powers; at the same time, the exercise and application of those powers remained at the sole disposal of their own feelings and consciences. It was an unavoidable circumstance incidental to the nature of such a proceeding as an impeachment, from which no danger of injustice could be apprehended, with any shadow of reason.

He should, he said, wave for the present, every consideration of the enquiry how far the house of commons were disabled from proceeding in the impeachment depending, as it remained a subject for future investigation. When it was once established that the right of impeachment did not abate by dissolution, the discretion of the house would next determine whether it were ex-

pedient to prosecute the impeachment in question any farther; or whatever line of conduct to pursue in regard to such a proceeding. Of this he was very sure, that no fair objection could be urged, from any defect of information. The court in which the trial had been conducted, was accessible to all; all the reports and papers respecting the evidence, were open to general inspection; so that it was entirely at the option not only of every member of the house of commons, but also of every British subject, to remain in ignorance of any part of the proceedings. He wished it to be understood by all, as an established and incontrovertible principle, that impeachments continued in *statu quo*. A contrary mode of proceeding would be attended with consequences destructive of the priveleges of the house, as well as injurious and prejudicial to the cause of the party accused. If an offence, for instance, were committed, the conviction of which required a proceeding by impeachment, upon the eve of a dissolution of parliament, the prosecution might be postponed until the meeting of a new parliament, in order to avoid a repetition of the proceedings; the consequence naturally to be apprehended was, the escape of the delinquent. If, on the other hand, an impeachment had been carried on for such a considerable length of time, as to exceed a dissolution of parliament, the repetition of the proceedings in that case might materially impede the progress of other public business. The death of a witness, in the mean time, might very considerably too affect the state of the evidence; and an impeachment, by this mode of proceeding, might be converted into an engine of oppression and injustice. Suppose the party impeached to have made some progress in his defence, his accusers might possess sufficient influence to procure a sudden dissolution of parliament; the consequence might be, a fresh accusation against him, fabricated out of his own defence. By such a nefarious proceeding, an individual might continue to be the object of a public prosecution all his life-time, without the possibility of the means of being pronounced either innocent or guilty. Thus, an impeachment must continue in *statu quo* after a dissolution, or the privileges of

sustain irreparable injury, and intolerable oppression. He was clearly decided in his opinion, therefore, from the weight of precedents, from the principles of the constitution, from the authority of the greatest luminaries of the law, from the immutable principles of justice, from the expediency of public trials, and from every argument of plain common sense, that impeachments not only continued unaffected by a dissolution of parliament, but existed in *statu quo*, notwithstanding the operation of such an event; he therefore would vote, with cheerful confidence, for the original motion of the right honourable gentleman, that the impeachment of Warren Hastings, esq. was now depending.

On a division, there appeared,

For the Speaker's leaving the chair..... 80

Against it.....143

The original motion was then carried.

February 17, 1792.

The house having resolved itself into a committee of the whole house, (of which the Earl of Mornington was chairman,) to consider of so much of his Majesty's speech on the opening of the session, as related to the Public Revenue and Expenditure; the following paragraphs from the speech were read:

"It will, I am persuaded, give you great satisfaction to learn, that the extraordinary expences incurred in the course of the last year have, in a great measure, been already defrayed by the grants of the session. The state of our resources will, I trust, be found more than sufficient to provide for the remaining part of these expences, as well as for the current service of the year, the estimates for which I have directed to be laid before you.

"I entertain the pleasing hope, that the reductions which may be found practicable in the establishments, and the continued increase in the revenue, will enable you, after making due provision for the several branches of the public service, to enter upon a system of gradually relieving my subjects from some part of the existing taxes; at the same time giving additional efficacy to

the plan for reduction of the national debt, on the success of which our future ease and security essentially depend.

"With a view to this important object, let me also recommend it to you to turn your attention to the consideration of such measures as the state of the funds and of public credit may render practicable and expedient, towards a reduction in the rate of interest of any of the annuities which are now redeemable."

Mr. Pitt then rose, and addressed the committee as follows:

Lord Mornington—The paragraph in his Majesty's speech which has been referred to this committee, has already announced to us, and to the public, the most welcome intelligence which it was possible for us to receive; it has raised the pleasing expectation, that, after all the difficulties with which we have struggled, the period is at length arrived, when, by the flourishing state of our finances, we may be enabled to enter on a system which will afford immediate and substantial relief to a large proportion of our constituents, and at the same time give additional security and effect to that important, and, I trust, inviolable system which has been adopted for the reduction of the national debt.

In proceeding to detail the measures which I shall propose with a view to these important objects, I shall consider it as my first and most indispensable duty to state, as distinctly as possible, every circumstance which can be necessary for enabling all who hear me, not only to form a satisfactory judgment on the general result of our situation, but to examine the various calculations and reasonings on which that result is founded; and in attempting to execute so extensive a task, it is no small relief to my mind to reflect, that the repeated discussions which have taken place on questions of finance, have rendered them, in a great degree, familiar to the house and to the public; and that, by the measures which have been adopted for simplifying the nature and form of the public accounts, they are at length freed from that obscurity and intricacy in which they were formerly involved, and are rendered so clear and intelligible, that there is no man who

may not, with a small degree of attention, become as fully master of the subject, as those whose official duty has led them to make it their peculiar study.

The first point to which I wish to call the attention of the committee, is the amount of what may be considered as the probable future income of the country; and I will begin by recapitulating the result of the accounts for different years, which have been already stated. The produce of the permanent taxes in the last year, from the 5th of January, 1791, to the 5th of January, 1792, appears to have been 14,132,000*l.*; which, with the addition of 2,558,000*l.* (being the average amount of the annual duties on land and malt, as stated by the select committee last year,) would make the total revenue of the year 16,690,000*l.* To this there must be added a sum, which, in the accounts on the table, has been included in the produce of the separate and temporary taxes imposed last year, for the purpose of defraying the expence of the Spanish armament, but which, in fact, makes part of the general and permanent revenue. It will be recollected that an addition was made last year to the duties on bills and receipts, and the addition was consolidated with the old duty. The whole of this consolidated duty has been carried to the account of the separate fund; but only the excess beyond the former produce can be considered as arising from the additional duty; and a sum equal to the former produce, being about 40,000*l.*, is to be added to the other sums which I have stated, making the total revenue for the last year 16,730,000*l.*

The produce of the year preceding was 16,137,000*l.* after deducting the produce of a fifty-third week, which was included in the account of that year.

The principal branches of the revenue being paid from the respective offices into the exchequer, by weekly payments, on a stated day, a fifty-third weekly payment in the course of a year, recurs nearly in the proportion of once in every period of six years. In judging therefore of the probable future amount of the revenue, the produce of the fifty-third week ought not to be

included in any one particular year, and it is therefore here deducted; but, on the other hand, one-sixth part of its amount, being about 32,000l., ought to be added to the average formed on any number of years. The average formed on the two last years, without this addition, would be 16,583,000., and with it 16,615,000*l.*

The produce of the year ending on the 5th of January, 1790, was 15,991,000*l.*, and the average of the last three years (making the same allowance for the fifty-third week) amounts to 16,418,000.

If we look back still one year further, the produce of the year ending the 5th of January, 1789, was 15,565,000*l.*, and the average formed on the last four years, amounts to 16,212,000*l.*

It appears therefore that the actual produce of the year 1791, being 16,730,000*l.*, exceeds by above 500,000*l.* the average formed on the last four years;—that it exceeds the average formed on the last two years by above 100,000*l.*—the average on the last three years by nearly 300,000*l.*, and the actual produce of the last year but one, by nearly the same sum.

If then I form my calculation of our future revenue, not on the separate amount of any one of these particular years, but upon the average amount of four years, during which there has been a constant increase, I am certainly not attempting to lead you into too favourable an opinion; but I am rather wishing to recommend that degree of caution, which the importance of the subject always deserves, and particularly at the present moment, when we are holding out hopes of relief, in which, above all things, we should be careful to avoid the chance of disappointment. I propose therefore to rest my computation upon this average produce of four years, being 16,212,000*l.*, and this sum, on a general view of the subject, we may safely assume, as not being likely to exceed the permanent annual revenue of the country.

I shall next desire the committee to compare the statement of the annual revenue, with that of the permanent annual expendi

ture; and I shall take as the basis of this comparison, the estimates contained in the report of the committee appointed in the last session to examine the public income and expenditure, only making such corrections as arise from certain additions on the one hand, and reductions on the other, which at that time were not foreseen. The whole permanent expenditure as stated by the committee, (including therein the interest of the national debt, the million annually issued for the reduction of debt, the civil list, and all the permanent charges on the consolidated fund, as well as all the establishments which are annually voted) is 15,969,000*l.*; to which there was added in the course of the last session (but subsequent to the report of the committee) the sum of 12,000*l.* charged on the consolidated fund, for the establishment of his Royal Highness the Duke of Clarence; and a further sum of about 12,000*l.* for defraying the expence of the separate government of the province of Upper Canada. Besides this, some further provisions will be necessary for the establishment of his Royal Highness the Duke of York, on the happy event of his marriage; and this may probably occasion an addition of 18,000*l.*

The amount of these additional charges is 42,000*l.*

I have next to state those reductions which, as far as we can at present judge, may be expected to take place in our permanent establishments, although they cannot operate to their full extent in the present year. The first article of reductions is under the head of the naval service, in which I am inclined to hope that the number of seamen may be reduced to 16,000, being 2,000 less than last year. This will produce a saving of 104,000*l.*, and a further saving of about 10,000*l.* may probably be made in the estimate for the works to be carried on in the dock-yards.

In the actual establishment of the army, (after allowing for the proposed additions, which were explained when the army estimate was voted,) there may probably be a diminution of about 50,000*l.*; and 36,000*l.* will be saved in consequence of the expiration of the treaty for the Hessian subsidy, which, under the

present circumstances, his Majesty has not thought it necessary to renew.

If, therefore, allowance is made on the one hand for the addition of 42,000*l.*, and for the reductions in the army and navy, amounting together to about 200,000*l.*, the estimate of the permanent annual expenditure will stand at 15,811,000*l.*; the amount of the income of the last year, as I have before stated it, exceeds this sum by 919,000*l.*; the average of the amount of the two last years exceeds it by 804,000*l.*; the average of the three years by 607,000*l.*; and that of the four years on which I rest my calculations, by 401,000*l.* This then is the comparative view which I take of the permanent income, and the permanent expenditure; and, according to the lowest of these calculations, there remains a disposeable annual surplus of about 400,000*l.*, after defraying the expense of all the establishments, and applying the annual million to the reduction of the public debt.

Before I submit to the committee the manner in which I would propose to distribute this surplus in future, I wish to advert to the supply, and ways and means for the present year, because in these there will be found some additional articles both of expenditure and of receipt. The supply for each year, as gentlemen are aware, includes all the establishments and the charges for the various branches of the public service, together with all incidental charges which are defrayed by annual grants. It is independent of the interest and charges of the national debt, of the million annually issued to the commissioners of the civil list, and of the other charges on the consolidated fund. The amount of all these articles is 11,391,000*l.* and being permanently fixed, forms no part of the supply voted in each year.

For the navy we have voted this year 16,000 seamen, of which the charge is 832,000*l.*; for what is called the ordinary of the navy, 672,000.; and for the extraordinary building and repairs (including the work in the dock-yards) 350,000*l.* We have also voted 131,000*l.* towards the reduction of the navy debt, which is sufficient for defraying the whole of the extra-expenses

of the naval department in the last year, (including those of the armament) as far as they have not been already defrayed by the surplus arising from former grants. These sums together make 1,985,000*l.*

The establishment of the army for the present year is 1,474,000*l.*; the extraordinaries 277,000*l.*; besides 63,000*l*, advanced for the troops in India, which will ultimately be repaid by the company. The total voted for the army is 1,814,000*l*.

For the ordinary expenses of the ordnance there has been voted 221,000*l.*; for the extraordinaries nearly 157,000*l.*; and under the head of services performed in former years, but unprovided for, 44,000*l.*, making in the whole the sum of 422,000*l.*

The estimates for the colonies and plantations, amount to about 31,000*l.*

Various miscellaneous services, including the expense of African forts, the Mint, the roads in Scotland, the maintenance and transportation of convicts, the sum paid for printing journals, and some other articles, (particularly a compensation to the owners of African vessels for losses sustained in consequence of the late regulations, and likewise to the settlers removed in the year 1786 from the Mosquito shore,) amount in the whole to 114,000*l.*

There are two other articles which always form part of the annual statement of the supply, under the heads of deficiency of grants, and estimated deficiency of the land and malt, the nature of which is fully explained in the report of the committee of the last session, and for which allowance is made, though in a different shape, in the comparison of the permanent income and expenditure. The amount of the deficiency of grants is 436,000l., which includes in it the sum of 123,000*l.* repaid to the Bank, in consequence of the diminution of their floating balance, out of which 500,000*l.* had been advanced for the supply of last year; and the deficiency on the land and malt may be estimated at 350,000*l.*

To these articles I shall propose to add two others; the first is

100,000*l.* out of the supplies of the present year, to be applied towards the discharge of the exchequer bills issued on account of the the Spanish armament; by which means we shall be enabled to repeal immediately the additional duty on malt, the produce of which for the present year was appropriated to the separate fund created for that purpose. The second is an additional sum to be issued in this particular year, beyond the annual million, for the reduction of the national debt; and, on the comparison of the supply with the ways and means for the year, I think it will appear, that this sum may be safely stated at 400,000*l.*

I have now enumerated all the articles of the supply, except the debentures to the American loyalists. These I omit, because they are nearly balanced by the profit on the lottery, which I do not mean to include in the statement of ways and means.

The first article of the estimated ways and means for the present year is the amount of the annual duties on land and malt, which may here be taken at 2,750,000*l.*, because exchequer bills will be issued on the credit of these duties to that amount; and the deficiency in the actual produce of the duties will, according to the usual practice, become a charge on the supply of future years, as the deficiency of the produce of former years is a charge on the supply of the present year. The next article consists of the sums which may be expected to be applied towards defraying the supply of the year out of the produce of the consolidated fund. This fund includes in it the whole amount of all the permanent taxes, and is applicable, in the first instance, to the payment at the end of each quarter of the permanent charges which I have before had occasion to enumerate. Any surplus which remains after payment of those charges is, from time to time, disposeable by parliament; and a sum equal to the expected amount of that surplus in the course of a year is always voted as an article of ways and means. In voting the ways and means, it has for some time been the practice to calculate from the 5th of April in the current year,

to the 5th of April following; so that the grants for the supply of each particular year are not expected to be completed till the expiration of the first quarter in the subsequent year. In the present instance, however, there remained a sum of 155,000*l.* but of the actual surplus of the consolidated fund on the 5th of January, 1792, after making good the whole sum granted for the service of the year 1791, which had not been estimated to be completed till the quarter ending the 5th of April, 1792. The increase of the revenue having defrayed the whole charge, and furnished this actual surplus, as early as on the 5th of January last, and the 5th of April next, will yield a further surplus (after paying the interest of the debt, and other fixed charges) which, instead of being applied, as was estimated, to the service of the year 1791, will be applicable to the supply of the present year; and to this is to be added the growing produce of the consolidated fund for the succeeding twelve months, from the 5th of April, 1792, to the 5th of April, 1793.

The expected amount of the disposeable surplus on the 5th of April next, I state at 486,000*l.*; and in forming this calculation, I suppose the whole produce of the permanent taxes, during the current quarter, to be equal to the average formed from the corresponding quarters in each of the last four years, which amounts to 2,970,000*l.* To this is to be added the expected produce, during this quarter, of the temporary taxes appropriated to defray the expenses of the Spanish armament, because, up to the 5th of April, those taxes are directed to be carried to the consolidated fund, and the proportion of the expense of the Spanish armament, which was charged on the supply of 1792, has been already defrayed out of the produce of the revenue up to the 5th of January. Supposing these taxes to yield in this quarter a sum equal to their average produce in the three quarters since they have taken effect, their amount will be nearly 200,000*l.*, and this, added to the sum before stated, will make a total of 3,170,000*l.* From this is to be deducted the amount of the interest of debt, and other fixed charges on the consolidated

fund for this quarter, which is about 2,684,000*l.*, leaving a remainder of 486,000*l.*

The further amount of the sum, which may be expected to arise from the surplus of the consolidated fund, between the 5th of April, 1792, and the 5th of April, 1793, I propose to estimate in like manner on the average of the four last years, making the necessary deduction on account of the taxes which I shall on this day propose to you to repeal.

The total amount of the revenue on that average, exclusive of land and malt, was 13,654,000*l.* The annual amount of the taxes proposed to be repealed is about 223,000*l.*: but as some arrears will be received from these taxes subsequent to their repeal, the sum to be deducted on this account in the present year, will not be to that amount, and may be estimated at about 163,000*l.* The total amount of the interest of debt and other fixed charges on the consolidated fund is (as I have already stated) 11,391,000*l.* There will, therefore, on these suppositions, remain a disposeable surplus of 2,100,000*l.*, to which is to be added a sum of 200,000*l.* which there is good ground to suppose will be re-paid to the public during this year from the balances of different accounts. These articles of ways and means added together amount to 5,691,000*l.* The articles of supply which I have enumerated, amount in the whole to 5,654,000*l.*, so that the ways and means exceed this supply by 37,000*l.*

I have already observed that, in the supply of the present year, there are some articles included, which exceed considerably the estimate of the permanent annual expenditure in the several branches of the public service; these consist principally of the additional sum of 400,000*l.* proposed to be issued to the commissioners; the sum of 100,000*l.* granted in lieu of the malt duty; the sum granted for the navy debt; that repaid to the Bank; the advance on account of the troops in India, and some excess in the army estimate; in the unprovided estimate of the ordnance; in the miscellaneous services and the deficiency of grants; and they all appear peculiar to the present year, and not

likely to recur in future, except as far as an annual addition may hereafter be made to the sums issued for the reduction of the national debt.

In speaking however of the future expenditure, I am aware that contingencies may occasionally arise, which cannot at present be foreseen; but, as far as I have now the means of judging, I am not aware of any specific article in which there is likely to be an excess beyond the permanent estimate, except in the amount of the small sums which may be still necessary for completing the works for the protection of the dock-yards at home, and the expense of carrying into execution the plan of fortifications in the West Indies, which will be a subject of separate consideration. And with a view to these articles, or to other contingencies that may arise, I have the satisfaction of thinking, that they will probably be fully balanced by extraordinary resources, beyond the calculated amount of the present income. On the result, then, of these different statements, I think there is no reason to doubt, that we may, in the present year, apply an additional sum of 400,000*l.* to the reduction of the national debt, and repeal the temporary duty on malt, at the same time allowing for the repeal of permanent taxes to the amount of about 200,000*l.* and for the application of nearly an equal annual sum in future, as a permanent addition to the fund for the discharge of the national debt.

The next point for consideration, is, the propriety of the general principle which I have assumed as the foundation of my plan; that of distributing the surplus of our revenue, and applying it in equal proportions to the diminution of taxes, and the reduction of debt. I have thought this the wisest plan which we can adopt, because, by combining present relief with permanent credit and security, it seems most likely to prevent any temptation hereafter to break in, with a rude hand, on the system for the gradual reduction of our debt. At the same time, this addition to the sinking fund, with the aid of a further sum from a distant source, which I shall mention presently, and, independent of any further increase of revenue, will enable us to make a rapid

progress in this important work, and in a very short space of time to reach a point, which perhaps not long since was thought too distant for calculation.

I shall beg the indulgence of the committee while I state this rather more at large, because it is connected with other considerations which may lead to important measures for enforcing and strengthening our system for the discharge of the national debt. In attempting to form any calculations of the proportion of debt which may be discharged at any particular time, there are some contingencies which can only be stated hypothetically. They may, however, now be reduced to a narrower point than they have been in any former period. One material circumstance which has necessarily been considered as uncertain, is the price of the funds; but, as far as relates to the 3 per cents, this uncertainty seems to be in a great measure removed, with a view to the question under consideration; for, supposing the present state of prosperity to continue, no calculation can reasonably be formed on the idea of paying off any large portion of this stock but at par. Under such circumstances, the principal question would be, whether the fund for the reduction of debt ought to be applied to the redemption or purchase of the 3 per cents, with a view to the reduction of interest on the 4 per cents, and on the 5 per cents? or, whether it should be applied to the redemption, first, of the 4 per cents, and afterwards (as soon as they become redeemable) of the 5 per cents? Without entering into minute disquisitions on this point, I will only state, that, according to the most accurate calculations which I have seen, the mode of applying the sinking fund to the purchase of the 3 per cents, and making use of the general improvement of credit in order to reduce the interest of the 4 per cents, and of the 5 per cents (*when redeemable*), and to carry the saving of interest as an *addition to the sinking fund*, will on the whole be quicker in its operation than the other mode, though not in any very considerable degree. I shall therefore suppose, in the first instance, that an addition of 400,000*l.* should be applied in the present year to the reduction of debt, and an annual addition, from the

revenue for the next four years, of 200,000*l.* When the debentures to the American loyalists shall be discharged, (which will be in about four years subsequent to the present) the profits arising from the lottery, which, as I have already stated, are now set against this article of expenditure, will be left free, and will form an addition to the annual surplus. If the addition shall be distributed in the same manner as is now proposed, with respect to the present surplus, and if the tickets should continue to bear their present price, a further annual sum of 150,000*l.* (after allowing for the repeal of taxes to the same amount) will beapplicable to the reduction of debt. Previous to this period, the 4 per cents may naturally be supposed to have been reduced in the first instance to 3½, and ultimately to 3 per cent.; and the saving by this reduction of interest will amount at first to about 160,000*l.*, and when completed, to about 320,000*l.* By the operation of the present sinking fund, and of these additions to the redemption of the 3 per cents at par, it may be expected that 25 millions of 3 per cents will have been paid off in the year 1800, after which the 5 per cents become redeemable; and supposing the 3 per cents to continue at par, a further saving may then in a short time be made, by converting the 5 per cents to 3 per cents, which will amount in the whole to above 360,000*l.* and which I likewise suppose to be carried to the aid of the present sinking fund. The material question which on these suppositions it is natural to ask, is, When will the sinking fund arise to the amount of 4 millions per annum, which is the limit after which, according to the act of 1786, it is no longer to accumulate, but the interest of the capital which it thenceforth may redeem, is to be left open for the disposition of parliament? It will amount to that sum, on the suppositions which I have stated, in 1808, a period of about fifteen years from the present time.

I am not, indeed, presumptuous enough to suppose, that when I name fifteen years, I am not naming a period in which events may arise, which human foresight cannot reach, and which may baffle all our conjectures. We must not count with certainty on

a continuance of our present prosperity during such an interval; but unquestionably there never was a time in the history of this country, when, from the situation of Europe, we might more reasonably expect fifteen years of peace, than we may at the present moment. But in looking forward to this very period, there arises one of the considerations to which I have referred, and which may lead us still to amend and enforce our system for the reduction of debt.

When the sum of four millions was originally fixed as the limit for the sinking fund, it was not in contemplation to issue more annually from the surplus revenue than one million; consequently the fund would not rise to four millions till a proportion of debt was paid off, the interest of which, together with the annuities which might fall in in the interval, should amount to three millions.

But as, on the present supposition, additional sums beyond the original million are to be annually issued from the revenue, and applied to the aid of the sinking fund, the consequence would be that, if that fund (with these additions carried to it) were still to be limited to four millions, it would reach that amount, and cease to accumulate, before as great a portion of the debt is reduced as was originally in contemplation. This effect would be more considerable, if, instead of an annual addition of 350,000*l.* in the whole, which is the amount on which I have calculated, the further increase of the revenue should admit, (as it probably may) of the application of a larger surplus; and in either of these cases, although the ultimate amount of the sinking fund would be equal to what was originally intended, and it would reach that point sooner, yet it would bear a less proportion to the capital of the debt which it would afterwards have to discharge, than it would have done according to the original plan. In order to avoid this consequence, which would, as far as it went, be a relaxation in our system, I should propose, that whatever may be the additional annual sums applied to the reduction of debt, the fund should not cease to accumulate till the interest of the capi-

tal discharged, and the amount of expired annuities should, together with the annual million only, and exclusive of any additional sums, amount to four millions.

But I confess, that, in the present situation of the country, I am inclined to think that we ought not to stop here. What we did in 1786 was, perhaps, as much as could be attempted under the circumstances of that time. At present we ought not to confine our views to the operation of the sinking fund, compared with the debt now existing. If our system stops there, the country will remain exposed to the possibility of being again involved in those embarrassments, which we have, in our own time, severely experienced, and which, apparently, brought us almost to the verge of bankruptcy and ruin. We ought therefore to look forward, in order to provide a permanent remedy against the danger of fresh accumulation of debt in consequence of future contingencies. And this, as I shall explain more particularly on some future occasion, may, I am persuaded, be effected without the danger of any inconvenience or embarrassment, which can counterbalance the magnitude of the object.

The measure which I have in view, is to enact, that whenever any loan should take place in future, unless raised by annuities which would terminate in a moderate number of years, there should of course be issued out of the consolidated fund, to the commissioners for the reduction of the national debt, an additional annual sum, sufficient to discharge the capital of such loan, in the same period as the sinking fund, after reaching its largest amount, will discharge what would then remain of the present debt. The committee will recollect, that the idea which I am now stating is not new to my mind, though I have never before proposed it as a permanent regulation. Two years from this time, when I had the mortification of thinking that the country might be engaged in an expensive war in consequence of our discussions with the court of Spain, I gave notice that I should propose to follow, very nearly, this system, with respect to any loans which might then be necessary. I will not, however,

enlarge further on this subject at present. I have already stated enough to shew that the system which I wish to propose is calculated to provide effectually for the discharge of the public debt, at the same time that it diminishes the burthens of the people; and that, in consulting our own immediate ease, we cannot be accused of sacrificing the permanent interests of posterity.

Supposing therefore, that the distribution which I have suggested should appear to the house fit to be adopted, and that taxes to the amount of 200,000*l.* per annum should now be taken off, I will beg leave next, for the purpose of bringing the whole subject under consideration, to state the particular taxes, which, if nothing preferable is suggested by others, I should propose to repeal. And, in making this selection, there are two objects which I wish principally to keep in view. The first, to which it is very material to attend, is, that the actual relief felt by the public should be proportioned to the amount of revenue which is relinquished. Under these descriptions those taxes seem most clearly to be included, which are raised by the mode of assessment, because as they are paid directly out of the pocket of the individual, and do not pass through circuitous channels like taxes upon the articles of consumption, where the tax is often blended with the price of the commodity, there can be little doubt that the relief intended to be given will in these instances be effectual to its fullest extent. The other object which I naturally have in view, is, that the relief intended should apply peculiarly to that class, to whom, on every account, it ought first to be extended,—I mean the most necessitous, and the most industrious part of the community.

Combining these objects, the first article to which I have directed my attention is, the temporary duty on malt, imposed in the last session.

The three next taxes which I shall state, are permanent taxes, which fall under the description of being raised by assessment, and which have also the further advantage of extending relief widely, and where we must most wish it to be extended.—The

first is the tax upon female servants, which is certainly paid by the poorer class of house-keepers, and which is charged upon about 90,000 different families—the amount is 31,000*l.* The next is, the tax upon carts and waggons, which applies to the whole of the yeomanry of the country, to all those who are occupied in agriculture, who pay in this shape a sum not indeed very considerable, but which perhaps is felt, from the inconvenience and trouble which it occasions, more than from the burthen itself. About 90,000 persons are affected by this tax also, of which the amount is nearly 30,000*l.* The third tax applies to the poorest of all the orders of the community,—I mean the tax on houses having less than seven windows, which are exempted from the payment of any other tax, but that of three shillings. The amount of the sum is small, but to those who are the objects of it, its repeal will be a substantial relief and comfort, and it will at least be a pledge and earnest of the attention of parliament to their interests. It extends, I believe, to between three and four hundred thousand houses, and its amount is about 56,000*l.*

The next and last which I have to mention is the last additional tax of a halfpenny per pound on the article of candles, which presses more, perhaps, than any other tax on consumption, upon the class of whom I have been speaking; and if this tax is repealed from a given day, and the duty upon the stock in hand is allowed to all the manufacturers and dealers in that article, I believe there can be no question that the reduction of the price will be in proportion to the duty repealed: its amount is about 106,000*l.*; and the total of all these taxes is 223,000*l.*

I have now explained the several measures which I shall this day propose to the committee; but I should think that I left the subject imperfectly discussed, if I did not proceed to lay before you such considerations as may enable you to judge how far there is a reasonable prospect that the fortunate situation which I have described may be permanent. And in order to do this, I wish again to call your attention to the progressive in-

crease of the revenue, and to state within what periods it has taken place.

If we compare the revenue of last year with that of the year 1786, we shall find an excess in the last year of 2,300,000*l.* If we go back to the year 1783, which is the first year of peace, we shall find the increase since that period, including the produce of the additional permanent taxes which have been imposed in the interval, to be little less than four millions. We shall, I believe, also find, that, with the exception of the year 1786, in which the suspense of trade, occasioned by the negociation for the commercial treaty with France, naturally affected the revenue, there is hardly any one year in which the increase has not been continual.

In examining the branches of revenue, we shall find that rather more than one million has arisen from the imposition of new taxes; about one million more in those articles in which particular and separate regulations have been made for the prevention of fraud; and that the remaining sum of two millions appears to be diffused over the articles of general consumption, and must therefore be attributed to the best of all causes—a general increase in the wealth and prosperity of the country.

If we look more minutely into the particular articles on which the revenue arises, we shall still find no ground to imagine, that any considerable part of it is temporary or accidental, but shall have additional reason to ascribe it to the cause which I have just now stated. In the revenue of the customs there is no material article where an increase might be supposed to proceed from the accident of seasons, but that of sugar, and it appears that, upon the average of the four years on which I have formed my calculation, that article has not produced beyond its usual amount. Many of the articles under the head of customs, in which the augmentation is most apparent, consist of raw materials, the increasing importation of which is, at once, a symptom and a cause of the increasing wealth of the country. This observation will apply, in some degree, even to the raw material of a manufacture which has generally been

supposed to be on the decline,—I mean that of silk. In the article of wool, the increase has been gradual and considerable. The quantity of bar-iron imported from abroad is also increased, though we all know how considerably our own iron works have been extended during the period to which I have referred. There is hardly any considerable article in which there is any decrease, except that of hemp in the last year, which is probably accidental, and that of linen, the importation of which from abroad may be diminished by accidental causes, or perhaps in consequence of the rapid increase of the manufacture of that article at home.

On looking at the articles composing the revenues of excise, the same observations will arise in a manner still more striking. There is, indeed, one branch of that revenue, the increase of which may in part be attributed to the accident of seasons,—I mean that which arises from the different articles of which malt is an ingredient; but I am inclined to believe that this increase cannot be wholly ascribed to that cause, because, during all the four years, the amount of the duty upon beer and ale has uniformly been progressive. In the great articles of consumption which I will shortly enumerate, without dwelling on particulars —in home-made and foreign spirits, wine, soap, tobacco, the increase has been considerable and uniform. In the articles of bricks, and tiles, starch, paper, and printed goods, there has also on the whole been a considerable increase, although there has been some fluctuation in different years. Almost every branch of revenue would furnish instances of a similar nature. The revenue raised by stamps has increased in the produce of the old duties, while at the same time new duties have been added to a large amount, and the augmentation is on this head, on the whole, near 400,000*l.*, a sum which is raised in such a manner as to be attended with little inconvenience to those who pay it. The amount of the duty upon salt during the same period has been progressive. The revenue of the post-office is another article, comparatively small, but which furnishes a strong indication of the internal state of the country. No ad-

ditional duty has been imposed since the year 1784. In 1785, it yielded 238,000*l.*, and in the last year 338,000*l.* I mention all these circumstances as tending to throw additional light on the subject, and serving to illustrate and confirm the general conclusion to which they all uniformly tend.

If from this examination of the different branches of the revenue, we proceed to a more direct enquiry into the sources of our prosperity, we shall trace them in a corresponding increase of manufacture and commerce.

The accounts formed from the documents of the custom-house are not indeed to be relied upon as shewing accurately the value of our imports and exports in any one year, but they furnish some standard of comparison between different periods, and in that view I will state them to the committee.

In the year 1782, the last year of the war, the imports, according to the valuation at the custom-house, amounted to 9,714,000*l.*; they have gradually increased in each successive year, and amounted, in the year 1790, to 19,130,000*l.*

The export of British manufactures forms a still more important and decisive criterion of commercial prosperity. The amount in 1782 was stated at 9,919,000*l.*; in the following year, it was 10,409,000*l.*; in the year 1790, it had risen to 14,921,000*l.*; and in the last year (for which the account is just completed as far as relates to British manufactures), it was 16,420,000*l.* If we include in the account the foreign articles re-exported, the total of the export in 1782 was 12,239,000*l.*; after the peace it rose, in 1783, to 14,741,000*l.*; and in the year 1790, it was 20,120,000*l.* These documents, as far as they go, (and they are necessarily imperfect) serve only to give a view of the foreign trade of the country. It is more than probable, that our internal trade, which contributes still more to our wealth, has been increasing in at least an equal proportion. I have not the means of stating with accuracy a comparative view of our manufactures during the same period; but their rapid progress has been the subject of general observation, and the local knowledge of gentlemen from different parts of the country,

before whom I am speaking, must render any detail on this point unnecessary.

Having gone thus far, having stated the increase of revenue, and shewn that it has been accompanied by a proportionate increase of the national wealth, commerce, and manufactures, I feel that it is natural to ask, what have been the peculiar circumstances to which these effects are to be ascribed?

The first and most obvious answer which every man's mind will suggest to this question, is, that it arises from the natural industry and energy of the country: but what is it which has enabled that industry and energy to act with such peculiar vigour, and so far beyond the example of former periods?—The improvement which has been made in the mode of carrying on almost every branch of manufacture, and the degree to which labour has been abridged, by the invention and application of machinery, have undoubtedly had a considerable share in producing such important effects. We have besides seen, during these periods, more than at any former time, the effect of one circumstance which has principally tended to raise this country to its mercantile pre-eminence—I mean that peculiar degree of credit, which, by a twofold operation, at once gives additional facility and extent to the transactions of our merchants at home, and enables them to obtain a proportional superiority in markets abroad. This advantage has been most conspicuous during the latter part of the period to which I have referred; and it is constantly increasing, in proportion to the prosperity which it contributes to create.

In addition to all this, the exploring and enterprising spirit of our merchants has been seen in the extension of our navigation and our fisheries, and the acquisition of new markets in different parts of the world; and undoubtedly those efforts have been not a little assisted by the additional intercourse with France, in consequence of the commercial treaty; an intercourse which, though probably checked and abated by the distractions now prevailing in that kingdom, has furnished a great additional incitement to industry and exertion.

But there is still another cause, even more satisfactory than these, because it is of a still more extensive and permanent nature; that constant accumulation of capital, that continual tendency to increase, the operation of which is universally seen in a greater or less proportion, whenever it is not obstructed by some public calamity, or by some mistaken and mischievous policy, but which must be conspicuous and rapid indeed in any country which has once arrived at an advanced state of commercial prosperity. Simple and obvious as this principle is, and felt and observed as it must have been in a greater or less degree, even from the earliest periods, I doubt whether it has ever been fully developed and sufficiently explained, but in the writings of an author of our own times, now unfortunately no more, (I mean the author of a celebrated treatise on the Wealth of Nations) whose extensive knowledge of detail, and depth of philosophical research, will, I believe, furnish the best solution to every question connected with the history of commerce, or with the systems of political economy. This accumulation of capital arises from the continual application, of a part at least, of the profit obtained in each year, to increase the total amount of capital to be employed in a similar manner, and with continued profit in the year following. The great mass of the property of the nation is thus constantly increasing at compound interest; the progress of which, in any considerable period, is what at first view would appear incredible. Great as have been the effects of this cause already, they must be greater in future; for its powers are augmented in proportion as they are exerted. It acts with a velocity continually accelerated, with a force continually increased.

Mobilitate viget, viresque acquirit eundo.

It may indeed, as we have ourselves experienced, be checked or retarded by particular circumstances—it may for a time be interrupted, or even overpowered; but, where there is a fund of productive labour and active industry, it can never be totally extinguished. In the season of the severest calamity and dis-

tress, its operations will still counteract and diminish their effects;—in the first returning interval of prosperity, it will be active to repair them. If we look to a period like the present, of continued tranquillity, the difficulty will be to imagine limits to its operation. None can be found, while there exists at home any one object of skill or industry short of its utmost possible perfection;—one spot of ground in the country capable of higher cultivation and improvement; or while there remains abroad any new market that can be explored, or any existing market that can be extended. From the intercourse of commerce, it will in some measure participate in the growth of other nations, in all the possible varieties of their situations. The rude wants of countries emerging from barbarism, and the artificial and increasing demands of luxury and refinement, will equally open new sources of treasure, and new fields of exertion, in every state of society, and in the remotest quarters of the globe. It is this principle which, I believe, according to the uniform result of history and experience, maintains on the whole, in spite of the vicissitudes of fortune, and the disasters of empires, a continued course of successive improvement in the general order of the world.

Such are the circumstances which appear to me to have contributed most immediately to our present prosperity. But these again are connected with others yet more important.

They are obviously and necessarily connected with the duration of peace, the continuance of which, on a secure and permanent footing, must ever be the first object of the foreign policy of this country. They are connected still more with its internal tranquillity and with the natural effects of a free but well regulated government.

What is it which has produced, in the last hundred years, so rapid an advance, beyond what can be traced in any other period of our history? What but that, during that time, under the mild and just government of the illustrious Princes of the family now on the throne, a general calm has prevailed through

the country, beyond what was ever before experienced; and we have also enjoyed, in greater purity and perfection, the benefit of those original principles of our constitution, which were ascertained and established by the memorable events that closed the century preceeding? This is the great and governing cause, the operation of which has given scope to all the other circumstances which I have enumerated.

It is this union of liberty with law, which, by raising a barrier equally firm against the encroachments of power, and the violence of popular commotion, affords to property its just security, produces the exertion of genius and labour, the extent and solidity of credit, the circulation and increase of capital; which forms and upholds the national character, and sets in motion all the springs which actuate the great mass of the community through all its various descriptions.

The laborious industry of those useful and extensive classes (who will, I trust, be in a peculiar degree this day the object of the consideration of the house) the peasantry and yeomanry of the country; the skill and ingenuity of the artificer; the experiments and improvements of the wealthy proprietor of land; the bold speculations and successful adventures of the opulent merchant and enterprising manufacturer; these are all to be traced to the same source, and all derive from hence both their encouragement and their reward. On this point therefore let us principally fix our attention, let us preserve this first and most essential object, and every other is in our power! Let us remember, that the love of the constitution, though it acts as a sort of natural instinct in the hearts of Englishmen, is strengthened by reason and reflection, and every day confirmed by experience; that it is a constitution which we do not merely admire from traditional reverence, which we do not flatter from prejudice or habit, but which we cherish and value, because we know that it practically secures the tranquillity and welfare both of individuals and of the public, and provides, beyond any other frame of government which has ever existed, for the

real and useful ends which form at once the only true foundation and only rational object of all political societies.

I have now nearly closed all the considerations which I think it necessary to offer to the committee. I have endeavoured to give a distinct view of the surplus arising on the comparison of the permanent income (computed on the average which I have stated) with what may be expected to be the permanent expenditure in time of peace, and I have also stated the comparison of the supply, and of the ways and means of this particular year. I have pointed out the leading and principal articles of revenue in which the augmentation has taken place, and the corresponding increase in the trade and manufactures of the country; and finally, I have attempted to trace these effects to their causes, and to explain the principles which appear to account for the striking and favourable change in our general situation. From the result of the whole, I trust I am entitled to conclude, that the scene which we are now contemplating is not the transient effect of accident, not the short-lived prosperity of a day, but the genuine and natural result of regular and permanent causes. The season of our severe trial is at an end, and we are at length relieved, not only from the dejection and gloom which, a few years since, hung over the country, but from the doubt and uncertainty which, even for a considerable time after our prospect had begun to brighten, still mingled with the hopes and expectations of the public. We may yet, indeed, be subject to those fluctuations which often happen in the affairs of a great nation, and which it is impossible to calculate or foresee; but as far as there can be any reliance on human speculations, we have the best ground, from the experience of the past, to look with satisfaction to the present, and with confidence to the future. "*Nunc "demum redit animus, cum non spem modo ac votum securitas "publica, sed ipsius voti fiduciam et robur assumpserit.*" This is a state not of hope only, but of attainment; not barely the encouraging prospect of future advantage, but the solid and immediate benefit of present and actual possession.

On this situation and this prospect, fortunate beyond our most sanguine expectations, let me congratulate you, and the house, and my country! And before I conclude, let me express my earnest wish, my anxious and fervent prayer, that now in this period of our success, for the sake of the present age and of posterity, there may be no intermission in that vigilant attention of parliament to every object connected with the revenue, the resources, and the credit of the state, which has carried us through all our difficulties, and led to this rapid and wonderful improvement;—that, still keeping pace with the exertions of the legislature, the genius and spirit, the loyalty and public virtue of a great and free people, may long deserve, and (under the favour of Providence) may ensure the continuance of this unexampled prosperity; and that Great Britain may thus remain for ages in the possession of these distinguished advantages, under the protection and safeguard of that constitution, to which (as we have been truly told from the Throne) they are principally to be ascribed, and which is indeed the great source, and the best security of all that can be dear, and valuable to a nation!

At the conclusion of the debate, the committee, without a division, came to the following resolutions:

RESOLVED,

That, from and after the 5th day of April 1792, the duties charged by an act made in the 31st year of the reign of his present Majesty, intituled, "An act for granting to his Majesty additional duties upon malt," do cease and determine.

RESOLVED,

That, from and after the 5th day of April 1792, the duties on female servants, charged by an act, made in the 25th year of the reign of his present Majesty, intituled, "An act to repeal duties on male servants, and for granting new duties on male and female servants," do cease and determine.

RESOLVED,

That, from and after the 5th day of April 1792, the duties charged by an act, made in the 23d year of his present Majesty, intituled, "An act for granting to his Majesty several rates and duties upon waggons, wains, carts, and other such carriages, not charged with any duty under the management of the commissioners of excise," do cease and determine.

RESOLVED,

That, from and after the 5th day of April 1792, the duties now payable on certain inhabited houses, containing less than seven windows or lights, charged by an act of the 6th year of the reign of his present Majesty, do cease and determine,

RESOLVED,

That, from and after the 5th day of April 1792, one half-penny in the pound of the duty upon all candles (except wax and spermaceti candles) do cease and determine,

ORDERED,

That a bill, or bills, be brought in upon the said resolutions; and that the Earl of Mornington, Mr. Chancellor of the Exchequer, Mr. Edward James Eliot, the Lord Bayham, Mr. Hopkins, Mr. Attorney-General, Mr. Solicitor-General, Mr. Rose, and Mr. Charles Long, do prepare, and bring in, the same.

And in the committee of the supply on the same day, it was resolved to grant to his Majesty the sum of 400,000*l.* to be issued and paid to the governor and company of the Bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt.

April 2, 1792.

THE house, after receiving a number of petitions* praying for the Abolition of the Slave-trade, resolved itself into a committee of the whole house, to take the circumstances of the trade into consideration:—when Mr. Wilberforce moved the following resolution: "That it is the opinion of this committee, that the trade carried on by British subjects, for the purpose of obtaining slaves on the coast of Africa, ought to be abolished."

MR. PITT, at a late hour, rose, and addressed the committee as follows:

At this hour of the morning I am afraid, Sir, I am too much exhausted to enter so fully into the subject before the committee as I could wish; but if my bodily strength is in any degree equal to the task, I feel so strongly the magnitude of this question, that I am extremely earnest to deliver my sentiments, which I rise to do with the more satisfaction, because I now look

* The whole number of petitions presented to this day, was five hundred and eight.

forward to the issue of this business with considerable hopes of success.

The debate has this day taken a turn, which, though it has produced a variety of new suggestions, has, upon the whole, contracted this question into a much narrower point than it was ever brought into before.

I cannot say that I quite agree with the right honourable gentleman over the way;† I am far from deploring all that has been said by my two honourable friends‡. I rather rejoice that they have now brought this subject to a fair issue, that something, at least, is already gained, and that the question has taken altogether a new course this night. It is true, a difference of opinion has been stated, and has been urged with all the force of argument that could be given to it. But give me leave to say, that this difference has been urged upon principles very far removed from those which were maintained by the opponents of my honourable friend when he first brought forward his motion. There are very few of those who have spoken this night, who have not thought it their duty to declare their full and entire concurrence with my honourable friend in promoting the abolition of the slave-trade, as their ultimate object. However we may differ as to the time and manner of it, we are agreed in the abolition itself; and my honourable friends have expressed their agreement in this sentiment with that sensibility upon the subject, which humanity does most undoubtedly require. I do not, however, think they yet perceive what are the necessary consequences of their own concession, or follow up their own principles to their just conclusion.

The point now in dispute between us, is, a difference merely as to the period of time, at which the abolition of the slave-trade ought to take place. I therefore congratulate this house, the country, and the world, that this great point is gained; that we may now consider this trade as having received its condemnation; that its sentence is sealed; that this curse of mankind is seen by the house in its true light; and that the greatest stigma

† Mr. Fox. ‡ Mr. Dundas, and the Speaker.

on our national character which ever yet existed, is about to be removed! And, Sir, (which is still more important,) that mankind, I trust, in general, are now likely to be delivered from the greatest practical evil that ever has afflicted the human race—from the severest and most extensive calamity recorded in the history of the world!

In proceeding to give my reasons for concurring with my honourable friend in his motion, I shall necessarily advert to those topics which my honourable friends near me have touched upon; and which they stated to be their motives for preferring a gradual, and, in some degree, a distant abolition of the slave-trade, to the more immediate and direct measure now proposed to you. Beginning as I do, with declaring that in this respect I differ completely from my right honourable friends near me, I do not, however, mean to say, that I differ as to one observation which has been pressed rather strongly by them. If they can shew that their proposition of a gradual abolition, is more likely than ours to secure the object which we have in view—that by proceeding gradually we shall arrive more speedily at our end, and attain it with more certainty, than by a direct vote immediately to abolish:—If they can shew to the satisfaction both of myself and the committee, that our proposition has more the appearance of a speedy abolition, than the reality of it; undoubtedly they will in this case make a convert of me, and my honourable friend who moved the question; they will make a convert of every man among us, who looks to this, which I trust we all do, as a question not to be determined by theoretical principles or enthusiastic feelings, but considers the practicability of the measure—aiming simply to effect his object in the shortest time, and in the surest possible manner.

If, however, I shall be able to shew that our measure proceeds more directly to its object, and secures it with more certainty and within a less distant period; and that the slave-trade will on our plan be abolished sooner than on his; may I not then hope, that my right honourable friends will be as ready to adopt

our proposition, as we should in the other case be willing to accede to theirs?

One of my right honourable friends has stated, that an act passed here for the abolition of the slave-trade, would not secure its abolition. Now, Sir, I should be glad to know, why an act of the British legislature, enforced by all those sanctions which we have undoubtedly the power and the right to apply, is not to be effectual: at least as to every material purpose? Will not the executive power have the same appointment of the officers and the courts of judicature, by which all the causes relating to this subject must be tried, that it has in other cases? Will there not be the same system of law by which we now maintain a monopoly of commerce? If the same law, Sir, be applied to the prohibition of the slave-trade, which is applied in the case of other contraband commerce, with all the same means of the country to back it, I am at a loss to know why the actual and total abolition is not likely to be effected in this way, as by any plan or project of my honourable friends, for bringing about a gradual termination of it. But my observation is extremely fortified by what fell from my honourable friend* who spoke last: he has told you, Sir, that if you will have patience with it for a few years, the slave-trade must drop of itself, from the increasing dearness of the commodity imported, and the increasing progress, on the other hand, of internal population. Is it true, then, that the importations are so expensive and disadvantageous already, that the internal population is even now becoming a cheaper resource? I ask then, if you leave to the importer no means of importation but by smuggling, and if, besides all the present disadvantages, you load him with all the charges and hazards of the smuggler, by taking care that the laws against smuggling are in this case watchfully and rigorously enforced, is there any danger of any considerable supply of fresh slaves being poured into the islands through this channel? And is there any real ground of fear, because a few slaves may have been smuggled in or out of the islands, that a bill will be useless and ineffectual on any such

* Mr. Jenkinson.

ground? The question under these circumstances will not bear a dispute.

Perhaps, however, my honourable friends may take up another ground, and say, "It is true your measure would shut out further importations more immediately; but we do not mean to shut them out immediately. We think it right, on grounds of general expediency, that they should not be immediately shut out." Let us therefore now come to this question of the expediency of making the abolition distant and gradual, rather than immediate.

The argument of expediency, in my opinion, like every other argument in this disquisition, will not justify the continuance of the slave-trade for one unnecessary hour. Supposing it to be in our power (which I have shewn it is) to enforce the prohibition from this present time, the expediency of doing it is to me so clear, that if I went on this principle alone, I should not feel a moment's hesitation. What is the argument of expediency stated on the other side? It is doubted whether the deaths and births in the islands are as yet so nearly equal as to ensure the keeping up of a sufficient stock of labourers: in answer to this, I took the liberty of mentioning, in a former year, what appeared to me to be the state of population at that time. My observations were taken from documents which we have reason to judge authentic, and which carried on the face of them the conclusions I then stated: they were the clear, simple, and obvious result of a careful examination which I made into this subject, and any gentleman who will take the same pains may arrive at the same degree of satisfaction.

These calculations, however, applied to a period of time that is now four or five years past. The births were then, in the general view of them, nearly equal to the deaths; and, as the state of population was shewn, by a considerable retrospect, to be regularly increasing, an excess of births must before this time have taken place.

Another observation has been made as to the disproportion of the sexes: this, however, is a disparity which existed in any

material degree only in former years; it is a disparity of which the slave-trade has been itself the cause; which will gradually diminish as the slave-trade diminishes, and must entirely cease, if the trade shall be abolished; but which, nevertheless is made the very plea for its continuance. I believe this disproportion of the sexes, taking the whole number in the islands, Creole as well as imported Africans, the latter of whom occasion all the disproportion, is not now by any means considerable.

But, Sir, I also shewed, that the great mortality which turned the balance so as to make the deaths appear more numerous than the births, arose too from the imported Africans, who die in extraordinary numbers in the seasoning. If, therefore, the importation of negroes should cease, every one of the causes of mortality, which I have now stated, would cease also. Nor can I conceive any reason why the present number of labourers should not maintain itself in the West Indies, except it be from some artificial cause, some fault in the islands; such as the impolicy of their governors, or the cruelty of the managers and officers, whom they employ.

I will not reiterate all that I said at that time, or go through island by island. It is true, there is a difference in the ceded islands; and I state them possibly to be, in some respects, an excepted case. But, if we are to enter into the subject of the mortality in clearing new lands, this, Sir, is undoubtedly another question; the mortality here is tenfold: and this is to be considered, not as the carrying on of a trade, but as the setting on foot of a slave-trade for the purpose of peopling the colony; a measure which I think will not now be maintained. I therefore desire gentlemen to tell me fairly, whether the period they look to is not now arrived? Whether, at this hour, the West Indies may not be declared to have actually attained a state in which they can maintain their population? and upon the answer I must necessarily receive, I think I could safely rest the whole of the question.

One honourable gentleman has rather ingeniously observed that one or other of these two assertions of ours, must necessarily be

false: that either the population must be decreasing, which we deny; or if the population is increasing, that the slaves must be perfectly well treated, (this being the cause of such population) which we deny also. That the population is rather increasing than otherwise, and also that the general treatment is by no means so good as it ought to be, are both points which have been separately proved by different evidences; nor are these two points so entirely incompatible. The ill treatment must be very great indeed, in order to diminish materially the population of any race of people. That it is not so extremely great as to do this, I will admit. I will even admit, if you please, that this charge may possibly have been sometimes exaggerated; and I certainly think, that it applies less and less as we come nearer to the present times.

But, let us see how this contradiction of ours, as it is thought, really stands, and how the explanation of it will completely settle our minds, on the point in question. Do the slaves diminish in numbers? It can be nothing but ill treatment that causes the diminution. This ill treatment the abolition must and will restrain. In this case, therefore, we ought to vote for the abolition. On the other hand, Do you choose to say that the slaves clearly increase in numbers? Then you want no importations, and, in this case also, you may safely vote for the abolition. Or, if you choose to say, as the third and only other case which can be put, and which perhaps is the nearest to the truth, that the population is nearly stationary and the treatment neither so bad nor so good as it might be; then surely, Sir, it will not be denied, that this of all others, is, on each of the two grounds, the proper period for stopping further supplies: for your population, which you own is already stationary, will thus be made undoubtedly to increase from the births and the good treatment of your present slaves, which I am now supposing is but very moderate, will be necessarily improved also by the same measure of abolition. I say, therefore, that these propositions, contradictory as they may be represented, are in truth not at all inconsistent, but even come in aid of each other and lead to a conclusion that is decisive. And let it be al-

ways remembered, that in this branch of my argument, I have only in view the well-being of the West Indies, and do not now ground any thing on the African part of the question.

But, Sir, I may carry these observations respecting the islands much further. It is within the power of the colonists, (and is it not then their indispensable duty?) to apply themselves to the correction of those various abuses, by which population is restrained. The most important consequences may be expected to attend colonial regulations for this purpose. With the improvement of internal population, the condition of every negro will improve also; his liberty will advance, or at least he will be approaching to a state of liberty. Nor can you increase the happiness, or extend to the freedom of the negro, without adding in an equal degree to the safety of the islands, and of all their inhabitants. Thus, Sir, in the place of *slaves*, who naturally have an interest directly opposite to that of their masters, and are therefore viewed by them with an eye of constant suspicion, you will create a body of valuable *citizens and subjects*, forming a part of the same community, having a common interest with their superiors, in the security and prosperity of the whole.

And, here let me add, that in proportion as you increase the happiness of these unfortunate beings, you will undoubtedly increase in effect the quantity of their labour also. Gentlemen talk of the diminution of the labour of the islands! I will venture to assert, that, even if in consequence of the abolition there were to be some decrease in the number of hands, the quantity of work done, supposing the condition of the slaves to improve, would by no means diminish in the same proportion; perhaps would be far from diminishing at all. For if you restore to this degraded race the true feelings of men; if you take them out from among the order of brutes, and place them on a level with the rest of the human species; they will then work with that energy which is natural to men, and their labour will be productive, in a thousand ways, above what it has yet been; as the labour of a man is always more productive than that of a mere brute.

It generally happens, that in every bad cause some information arises out of the evidence of its defenders themselves, which serves to expose in one part or other the weakness of their defence. It is the characteristic of such a cause, that if it be at all gone into, even by its own supporters, it is liable to be ruined by the contradictions in which those who maintain it are for ever involved.

The committee of the privy council of Great Britain sent over certain queries to the West-India islands, with a view of elucidating the present subject; and they particularly inquired, whether the negroes had any days or hours allotted to them, in which they might work for themselves. The assemblies in their answers, with an air of great satisfaction state the labour of the slaves to be moderate, and the West-India system to be well calculated to promote the domestic happiness of the slaves: They add, "that proprietors are not compelled by law to allow their slaves any part of the six working days of the week for themselves, but that it is the general practice to allow them one afternoon in every week out of crop time, which, with such hours as they choose to work on Sundays, is time amply sufficient for their own purposes:" Now, therefore, will the negroes, or I may rather say, do the negroes work for their own emolument? I beg the committee's attention to this point: The assembly of Grenada proceeds to state—I have their own words for it—"That though the negroes are allowed the afternoons of only one day in every week, they will do as much work in that afternoon, when employed for their own benefit, as in the whole day when employed in their masters' service."

Now, Sir, I will desire you to burn all my calculations; to disbelieve, if you please, every word I have said on the present state of population; nay, I will admit, for the sake of argument, that the numbers are decreasing, and the productive labour at present insufficient for the cultivation of those countries: And I will then ask, whether the increase in the quantity of labour which is reasonably to be expected from the improved condition of the slaves, is not, by the admission of the islands themselves, by their ad-

mission not merely of an argument but a fact, far more than sufficient to counterbalance any decrease which can be rationally apprehended from a defective state of their population. Why, Sir, a negro, if he works for himself, and not for a master, will do double work! This is their own account. If you will believe the planters, if you will believe the legislature of the islands, the productive labour of the colonies would, in case the negroes worked as free labourers instead of slaves, be literally doubled. Half the present labourers, on this supposition, would suffice, for the whole cultivation of our islands on the present scale. I therefore confidently ask the house, whether, in considering the whole of this question, we may not fairly look forward to an improvement in the condition of these unhappy and degraded beings, not only as an event desirable on the ground of humanity and political prudence, but also as a means of increasing very considerably indeed, (even without any increasing population,) the productive industry of the islands?

When gentlemen are so nicely balancing the past and future means of cultivating the plantations, let me request them to put this argument into the scale; and the more they consider it, the more will they be satisfied, that both the solidity of the principle which I have stated, and the fact which I have just quoted in the very words of the colonial legislature, will bear me out in every inference I have drawn. I think they will perceive also, that it is the undeniable duty of this house, on the grounds of true policy, immediately to sanction and carry into effect that system which ensures these important advantages; in addition to all those other inestimable blessings which follow in their train.

If, therefore, the argument of expediency, as applying to the West-India islands, is the test by which this question is to be tried, I trust I have now established this proposition, namely, that whatever tends most speedily and effectually to meliorate the condition of the slaves, is undoubtedly on the ground of expediency, leaving justice out of the question, the main object to be pursued.

That the immediate abolition of the slave-trade will most emi-

nently have this effect, and that it is the only measure from which this effect can in any considerable degree be expected, are points to which I shall presently come; but before I enter upon them, let me notice one or two further circumstances.

We are told (and by respectable and well-informed persons) that the purchase of new negroes has been injurious instead of profitable to the planters themselves; so large a proportion of these unhappy wretches being found to perish in the seasoning. Writers well versed in this subject have even advised that, in order to remove the temptation which the slave-trade offers to expend large sums in this injudicious way, the door of importation should be shut.—This very plan which we now propose, the mischief of which is represented to be so great as to outweigh so many other momentous considerations, has actually been recommended by some of the best authorities, as a plan highly requisite to be adopted on the very principle of advantage to the island; nay, not merely on that principle of general and political advantage on which I have already touched, but for the advantage of the very individuals who would otherwise be most forward in purchasing slaves. On the part of the West Indians it is urged, "The planters are in debt: They are already distressed; if you stop the slave-trade, they will be ruined." Mr. Long, the celebrated historian of Jamaica, recommends the stopping of importations, as a receipt for enabling the plantations which are embarrassed to get out of debt. I will quote his words. Speaking of the usurious terms on which money is often borrowed for the purchase of fresh slaves, he advises "the laying of a duty equal to a prohibition on all negroes imported for the space of four or five years, except for re-exportation." "Such a law," he proceeds to say, "would be attended with the following good consequences. It would put an immediate stop to these extortions; it would enable the planter to retrieve his affairs by preventing him from running in debt, either by renting or purchasing negroes; it would render such recruits less necessary, by the redoubled care he would be obliged to take of his present stock, the preservation of their lives and health: And lastly, it

would raise the value of negroes in the island.—A North-American province, by this prohibition alone for a few years, from being deeply plunged in debt, has become independent, rich, and flourishing."

On this authority of Mr. Long I rest the question, whether the prohibition of further importations is that rash, impolitic, and completely ruinous measure, which it is so confidently declared to be with respect to our West-Indian plantations.

I do not, however, mean, in thus treating this branch of the subject, absolutely to exclude the question of indemnification on the supposition of possible disadvantages affecting the West Indies through the abolition of the slave-trade. But when gentlemen set up a claim of compensation merely on those general allegations, which are all that I have yet heard from them, I can only answer, let them produce their case in a distinct and specific form; and if upon any practicable or reasonable grounds it shall claim consideration, it will then be time enough for parliament to decide upon it.

I now come to another circumstance of great weight, connected with this part of the question. I mean the danger to which the islands are exposed from those negroes who are newly imported. This, Sir, like the observation which I lately made, is no mere speculation of ours; for here again I refer you to Mr. Long, the historian of Jamaica. He treats particularly of the dangers to be dreaded from the introduction of Coromantine negroes; an appellation under which are comprised several descriptions of negroes obtained on the Gold Coast, whose native country is not exactly known, and who are purchased in a variety of markets, having been brought from some distant inland. With a view of preventing insurrections, he advises, that "by laying a duty equal to a prohibition, no more of these Coromantines should be bought;" and after noticing one insurrection which happened through their means, he tells you of another in the following year, in which thirty-three Coromantines, "most of whom had been newly imported, suddenly rose, and in the space of an hour murdered and wounded no less than nineteen white persons."

To the authority of Mr. Long, both in this and other parts of his work, I may add the recorded opinion of the committee of the house of assembly of Jamaica itself; who, in consequence of a rebellion among the slaves, were appointed to enquire into the best means of preventing future insurrections. The committee reported, "That the rebellion had originated (like most or all others) with the Coromantines; and they proposed that a bill should be brought in for laying a higher duty on the importation of these particular negroes," which was intended to operate as a prohibition.

But the danger is not confined to the importation of Coromantines. Mr. Long, carefully investigating as he does the causes of such frequent insurrections, particularly at Jamaica, accounts for them from the greatness of its general importations. "In two years and a half," says he, "27,000 negroes have been imported."—"No wonder we have rebellions! Twenty-seven thousand in two years and a half!" Why, Sir, I believe that in some late years there have been as many imported into the same island within the same period! Surely, Sir, when gentlemen talk so vehemently of the safety of the islands, and charge us with being so indifferent to it; when they speak of the calamities of St. Domingo, and of similar dangers impending over their own heads at the present hour, it ill becomes *them* to be the persons who are crying out for further importations. It ill becomes *them* to charge upon *us* the crime of stirring up insurrections—upon us who are only adopting the very principles, which Mr. Long—which in part even the legislature of Jamaica itself, laid down in the time of danger, with an avowed view to the prevention of any such calamity.

The house, I am sure, will easily believe it is no small satisfaction to me, that among the many arguments for prohibiting the slave-trade which crowd upon my mind, the security of our West-India possessions against internal commotions, as well as foreign enemies, is among the most prominent and most forcible. And here let me apply to my two right honourable friends, and ask them, whether in this part of the argument they do not see

reason for *immediate* abolition! Why should you any longer import into those countries that which is the very seed of insurrection and rebellion? Why should you persist in introducing those latent principles of conflagration, which, if they should once burst forth, may annihilate in a single day the industry of an hundred years? Why will you subject yourselves, with open eyes, to the evident and imminent risk of a calamity, which may throw you back a whole century in your profits, in your cultivation, in your progress to the emancipation of your slaves? and disappointing at once every one of those golden expectations, may retard not only the accomplishment of that happy system which I have attempted to describe, but may cut off even your opportunity of taking any one introductory step? Let us begin from this time! Let us not commit these important interests to any further hazard: Let us prosecute this great object from this very hour! Let us vote that the abolition of the slave-trade shall be immediate, and not left to I know not what future time or contingency! Will my right honourable friends answer for the safety of the islands during any imaginable intervening period? Or do they think that any little advantages of the kind which they state, can have any weight in that scale of expediency in which this great question ought undoubtedly to be tried?

Thus stated, and thus alone, Sir, can it be truly stated, to what does the whole of my right honourable friend's arguments, on the head of expediency, amount? It amounts but to this:— The colonies on the one hand would have to struggle with some few difficulties and disadvantages at the first, for the sake of obtaining on the other hand immediate security to their leading interests; of ensuring, Sir, even their own political existence; and for the sake also of immediately commencing that system of progressive improvement in the condition of the slaves, which is necessary to raise them from the state of brutes to that of rational beings, but which never can begin until the introduction of these new disaffected and dangerous Africans into the same gangs, shall have been stopped.

If any argument can in the slightest degree justify the seve-

rity that is now so generally practised in the treatment of the slaves, it must be the introduction of these Africans. It is the introduction of these Africans that renders all idea of emancipation for the present so chimerical; and the very mention of it so dreadful. It is the introduction of these Africans that keeps down the condition of all plantation negroes. Whatever system of treatment is deemed necessary by the planters to be adopted towards these new Africans, extends itself to the other slaves also: instead therefore of deferring the hour when you will finally put an end to importations, vainly purposing that the condition of your present slaves should previously be mended, you must, in the very first instance, stop your importations, if you hope to introduce any rational or practicable plan, either of gradual emancipation, or present general improvement.

Having now done with this question of expediency as affecting the islands, I come next to a proposition advanced by my right honourable friend*, which appeared to intimate, that on account of some patrimonial rights of the West Indians, the prohibition of the slave-trade might be considered as an invasion on their legal inheritance.

Now, in answer to this proposition, I must make two or three remarks, which I think my right honourable friend will find some considerable difficulty in answering.—First, I observe that his argument, if it be worth any thing, applies just as much to gradual as immediate abolition. I have no doubt, that at whatever period he should be disposed to say the abolition should actually take place, this defence will equally be set up; for it certainly is just as good an argument against an abolition seven, or seventy years hence, as against an abolition at this moment. It supposes, we have no right whatever to stop the importations; and even though the disadvantage to our plantations, which some gentlemen suppose to attend the measure of immediate abolition, should be admitted gradually to lessen by the lapse of

* Mr. Dundas.

a few years, yet in point of principle, the absence of all right of interference would remain the same. My right honourable friend, therefore, I am sure will not press an argument not less hostile to his proposition than to ours. But let us investigate the foundation of this objection, and I will commence what I have to say, by putting a question to my right honourable friend. It is chiefly on the presumed ground of our being bound by a parliamentary sanction heretofore given to the African slave-trade, that this argument against the abolition is rested. Does then my right honourable friend, or does any man in this house think, that the slave-trade has received any such parliamentary sanction, as must place it more out of the jurisdiction of the legislature for ever after, than the other branches of our national commerce? I ask, is there any one regulation of any part of our commerce, which, if this argument be valid, may not equally be objected to, on the ground of its affecting some man's patrimony, some man's property, or some man's expectations? Let it never be forgotten, that the argument I am canvassing would be just as strong, if the possession affected were small, and the possessors humble; for on every principle of justice, the property of any single individual, or small number of individuals, is as sacred, as that of the great body of West-Indians. Justice ought to extend her protection with rigid impartiality to the rich and to the poor, to the powerful and to the humble. If this be the case, in what a situation does my right honourable friend's argument place the legislature of Britain? What room is left for their interference in the regulation of any part of our commerce? It is scarcely possible to lay a duty on any one article, which may not, when first imposed, be said in some way to affect the property of individuals, and even of some entire classes of the community. If the laws respecting the slave-trade imply a contract for its perpetual continuance, I will venture to say, there does not pass a year without some act, equally pledging the faith of parliament to the perpetuating of some other branch of commerce. In short, I repeat my observation,

that no new tax can be imposed, much less can any prohibitory duty be ever laid on any branch of trade, that has before been regulated by parliament, if this principle be once admitted.

Before I refer to the acts of parliament by which the public faith is said to be pledged, let me remark also, that a contract for the continuance of the slave-trade must, on the principles which I shall presently insist on, have been void, even from the beginning; for if this trade is an outrage upon justice, and only another name for fraud, robbery and murder, will any man urge that the legislature could possibly by any pledge whatever incur the obligation of being an accessory, or I may even say a principal, in the commission of such enormities, by sanctioning their countenance? As well might an individual think himself bound by a promise to commit an assassination. I am confident, gentlemen must see, that our proceedings on such grounds, would infringe all the principles of law, and subvert the very foundation of morality.

Let us now see, how far the acts themselves shew that there is this sort of parliamentary pledge to continue the African slave-trade. The act of 23d Geo. II. c. 31, is that by which we are supposed to be bound up by contract to sanction all those horrors now so incontrovertibly proved. How surprised then, Sir, must the house be to find, that by a clause of their very act, some of these outrages are expressly forbidden! It says, "No commander, or master of a ship, trading to Africa, shall by fraud, force or violence, or by any indirect practice whatsoever, take on board or carry away from the coast of Africa, any negro, or native of the said country, or commit any violence on the natives, to the prejudice of the said trade, and that every person so offending shall for every such offence forfeit." When it comes to the penalty, sorry am I to say, that we see too close a resemblance to the West-India law, which inflicts the payment of 30*l.* as the punishment for murdering a negro. The price of blood in Africa is 100*l.*; but even this penalty is enough to prove that the act at least does not sanction, much less does it engage to perpetuate enormities; and the

whole trade has now been demonstrated to be a mass, a system of enormities; of enormities which incontrovertibly bid defiance not only to this clause, but to every regulation which our ingenuity can devise, and our power carry into effect. Nothing can accomplish the object of this clause but an extinction of the trade itself.

But, Sir, let us see what was the motive for carrying on the trade at all? The preamble of the act states it, "Whereas the trade to and from Africa is very advantageous to Great Britain, and necessary for the supplying the plantations and colonies thereunto belonging with a sufficient number of negroes at reasonable rates, and for that purpose the said trade should be carried on," &c.—Here then we see what the parliament had in view when it passed this act; and I have clearly shewn that not one of the occasions on which it grounded its proceedings now exists. I may then plead, I think, the very act itself as an argument for the abolition. If it is shewn, that instead of being "very advantageous" to Great Britain, this trade is the most destructive that can well be imagined to her interests; that it is the ruin of our seamen; that it stops the extension of our manufactures: if it is proved in the second place that it is not now necessary for the "supplying our plantations with negroes;" if it is further established that this traffick was from the very beginning contrary to the first principles of justice, and consequently that a pledge for its continuance, had one been attempted to have been given, must have been completely and absolutely void;—where then in this act of parliament is the contract to be found, by which Britain is bound, as she is said to be, never to listen to her own true interests, and to the cries of the natives of Africa? Is it not clear that all argument, founded on the supposed pledged faith of parliament, makes against those who employ it? I refer you to the principles which obtain in other cases. Every trade-act shews undoubtedly that the legislature is used to pay a tender regard to all classes of the community. But if for the sake of moral duty, of national honour, or even of great political advantage, it is thought right, by authority of

parliament, to alter any long-established system, parliament is competent to do it. The legislature will undoubtedly be careful to subject individuals to as little inconvenience as possible; and if any peculiar hardship should arise, that can be distinctly stated, and fairly pleaded, there will ever, I am sure, be a liberal feeling towards them in the legislature of this country, which is the guardian of all who live under its protection. On the present occasion, the most powerful considerations call upon us to abolish the slave-trade; and if we refuse to attend to them on the alleged ground of pledged faith and contract, we shall depart as widely from the practice of parliament, as from the path of moral duty. If indeed there is any case of hardship, which comes within the proper cognizance of parliament, and calls for the exercise of its liberality,—well! But such a case must be reserved for calm consideration, as a matter distinct from the present question.

I beg pardon for dwelling so long on the argument of expediency, and on the manner in which it affects the West Indies. I have been carried away by my own feelings on some of these points into a greater length than I intended, especially considering how fully the subject has been already argued. The result of all I have said, is, that there exists no impediment, no obstacle, no shadow of reasonable objection on the ground of pledged faith, or even on that of national expediency, to the abolition of this trade. On the contrary, all the arguments drawn from those sources pleaded for it, and they plead much more loudly, and much more strongly in every part of the question, for an immediate, than for a gradual abolition.

But now, Sir, I come to Africa. That is the ground on which I rest, and here it is that I say my right honourable friends do not carry their principles to their full extent. Why ought the slave-trade to be abolished? Because it is incurable injustice. How much stronger then is the argument for immediate, than gradual abolition! By allowing it to continue even for one hour, do not my right honourable friends weaken—do not they desert, their own argument of its injustice? If on the ground

of injustice it ought to be abolished at last, why ought it not now? Why is injustice to be suffered to remain for a single hour? From what I hear without doors, it is evident that there is a general conviction entertained of its being far from just; and from that very conviction of its injustice, some men have been led, I fear, to the supposition, that the slave-trade never could have been permitted to begin, but from some strong and irresistible necessity; a necessity, however, which, if it was fancied to exist at first, I have shewn cannot be thought by any man whatever to exist now. This plea of necessity, thus presumed, and presumed, as I suspect, from the circumstance of injustice itself, has caused a sort of acquiescence in the continuance of this evil. Men have been led to place it among the rank of those necessary evils, which are supposed to be the lot of human creatures, and to be permitted to fall upon some countries or individuals, rather than upon others, by that Being, whose ways are inscrutable to us, and whose dispensations, it is conceived, we ought not to look into. The origin of evil is indeed a subject beyond the reach of human understandings; and the permission of it by the Supreme Being, is a subject into which it belongs not to us to enquire. But where the evil in question is a moral evil which a man can scrutinize, and where that moral evil has its origin with ourselves, let us not imagine that we can clear our consciences by this general, not to say irreligious and impious way of laying aside the question. If we reflect at all on this subject, we must see that every necessary evil supposes that some other and greater evil would be incurred were it removed; I therefore desire to ask, what can be that greater evil, which can be stated to overbalance the one in question?—I know of no evil that ever has existed, nor can imagine any evil to exist, worse than the tearing of seventy or eighty thousand persons annually from their native land, by a combination of the most civilized nations, inhabiting the most enlightened part of the globe, but more especially under the sanction of the laws of that nation which calls herself the most free and the most happy of them all. Even if

these miserable beings were proved guilty of every crime before you take them off, (of which however not a single proof is adduced,) ought we to take upon ourselves the office of executioners? And even if we condescend so far, still can we be justified in taking them, unless we have clear proof that they are criminals?

But if we go much further,—if we ourselves tempt them to sell their fellow-creatures to us, we may rest assured, that they will take care to provide by every method, by kidnapping, by village-breaking, by unjust wars, by iniquitous condemnations, by rendering Africa a scene of bloodshed and misery, a supply of victims increasing in proportion to our demand. Can we then hesitate in deciding whether the wars in Africa are their wars or ours? It was our arms in the river Cameroon put into the hands of the trader, that furnished him with the means of pushing his trade; and I have no more doubt that they are British arms, put into the hands of Africans, which promote universal war and desolation, than I can doubt their having done so in that individual instance.

I have shewn how great is the enormity of this evil, even on the supposition that we take only convicts and prisoners of war. But take the subject in the other way; take it on the grounds stated by the right honourable gentlemen over the way; and how does it stand? Think of EIGHTY THOUSAND persons carried away out of their country by we know not what means! for crimes imputed! for light or inconsiderable faults! for debt perhaps! for the crime of witchcraft! or a thousand other weak and scandalous pretexts? besides all the fraud and kidnapping, the villainies and perfidy, by which the slave-trade is supplied. Reflect on these eighty thousand persons thus annually taken off! There is something in the horror of it, that surpasses all the bounds of imagination. Admitting that there exists in Africa something like to courts of justice; yet what an office of humiliation and meanness is it in us, to take upon ourselves to carry into execution the partial, the cruel, iniquitous sentences of such courts, as if we also were strangers

to all religion, and to the first principles of justice! But that country, it is said, has been in some degree civilized, and civilized by us. It is said they have gained some knowledge of the principles of justice. What, Sir, have they gained principles of justice from us? Their civilization brought about by us!! Yes, we give them enough of our intercourse to convey to them the means, and to initiate them in the study of mutual destruction. We give them just enough of the forms of justice to enable them to add the pretext of legal trials to their other modes of perpetrating the most atrocious iniquity. We give them just enough of European improvements, to enable them the more effectually to turn Africa into a ravaged wilderness. Some evidences say, that the Africans are addicted to the practice of gambling; that they even sell their wives and children, and ultimately themselves. Are these then the legitimate sources of slavery? Shall we pretend that we can thus acquire an honest right to exact the labour of these people? Can we pretend that we have a right to carry away to distant regions, men of whom we know nothing by authentic enquiry, and of whom there is every reasonable presumption to think, that those who sell them to us, have no right to do so? But the evil does not stop here. I feel that there is not time for me to make all the remarks which the subject deserves, and I refrain from attempting to enumerate half the dreadful consequences of this system. Do you think nothing of the ruin and the miseries in which so many other individuals, still remaining in Africa, are involved in consequence of carrying off so many myriads of people? Do you think nothing of their families which are left behind? of the connections which are broken? of the friendships, attachments, and relationships that are burst asunder? Do you think nothing of the miseries in consequence, that are felt from generation to generation? of the privation of that happiness which might be communicated to them by the introduction of civilization, and of mental and moral improvement? A happiness which you withhold from them so long as you permit the slave-trade to continue. What do you yet know of the internal

state of Africa? You have carried on a trade to that quarter of the globe from this civilized and enlightened country; but such a trade, that, instead of diffusing either knowledge or wealth, it has been the check to every laudable pursuit. Instead of any fair interchange of commodities; instead of conveying to them, from this highly favoured land, any means of improvement, you carry with you that noxious plant by which every thing is withered and blasted; under whose shade nothing that is useful or profitable to Africa will ever flourish or take root. Long as that continent has been known to navigators, the extreme line and boundaries of its coasts is all with which Europe is yet become acquainted; while other countries in the same parallel of latitude, through a happier system of intercourse, have reaped the blessings of a mutually beneficial commerce. But as to the whole interior of that continent you are, by your own principles of commerce, as yet entirely shut out: Africa is known to you only in its skirts. Yet even there you are able to infuse a poison that spreads its contagious effects from one end of it to the other, which penetrates to its very centre, corrupting every part to which it reaches. You there subvert the whole order of nature; you aggravate every natural barbarity, and furnish to every man living on that continent, motives for committing, under the name and pretext of commerce, acts of perpetual violence and perfidy against his neighbour.

Thus, Sir, has the preversion of British commerce carried misery instead of happiness to one whole quarter of the globe. False to the very principles of trade, misguided in our policy, and unmindful of our duty, what astonishing—I had almost said, what *irreparable* mischief, have we brought upon that Continent! I would apply this thought to the present question. How shall we ever repair this mischief? How shall we hope to obtain, if it be possible, forgiveness from Heaven for those enormous evils we have committed, if we refuse to make use of those means which the mercy of Providence hath still reserved to us for wiping away the guilt and shame with which we are now covered? If we refuse even this degree of compensation, if,

knowing the miseries we have caused, we refuse even now to put a stop to them, how greatly aggravated will be the guilt of Great Britain! and what a blot will the history of these transactions for ever be in the history of this country! Shall we then DELAY to repair these injuries, and to begin rendering this justice to Africa? Shall we not count the days and hours that are suffered to intervene and to delay the accomplishment of such a work? Reflect, what an immense object is before you—what an object for a nation to have in view, and to have a prospect, under the favour of Providence, of being now permitted to attain! I think the house will agree with me in cherishing the ardent wish to enter without delay upon the measures necessary for these great ends: and I am sure that the immediate abolition of the slave-trade is the first, the principal, the most indispensable act of policy, of duty, and of justice, that the legislature of this country has to take, if it is indeed their wish to secure those important objects to which I have alluded, and which we are bound to pursue by the most solemn obligations.

There is, however, one argument set up as an universal answer to every thing that can be urged on our side; whether we address ourselves to gentlemen's understandings, or to their hearts and consciences. It is necessary I should remove this formidable objection; for though not often stated in distinct terms, I fear it is one which has a very wide influence. The slave-trade system, it is supposed, has taken so deep root in Africa, that it is absurd to think of its being eradicated; and the abolition of that share of trade carried on by Great Britain (and especially if her example is not followed by other powers) is likely to be of very little service. Give me leave to say, in answer to so dangerous an argument, that we ought to be extremely sure indeed of the assumption on which it rests, before we venture to rely on its validity; before we decide that an evil which we ourselves contribute to inflict is incurable, and on that very plea, refuse to desist from bearing our part in the system which produces it. You are not sure, it is said, that other nations will give up the trade, if you should renounce it. I

answer, if this trade is as criminal as it is asserted to be, or if it has in it a thousandth part of the criminality, which I, and others, after thorough investigation of the subject, charge upon it, God forbid that we should hesitate in determining to relinquish so iniquitous a traffic; even though it should be retained by other countries! God forbid, however, that we should fail to do our utmost towards inducing other countries to abandon a bloody commerce which they have probably been in great measure led by our example to pursue! God forbid, that we should be capable of wishing to arrogate to ourselves the glory of being singular in renouncing it!

I tremble at the thought of gentlemen's indulging themselves in this argument (an argument as pernicious as it is futile) which I am combating. "We are friends," say they, "to humanity. We are second to none of you in our zeal for the good of Africa,—but the French will not abolish,—the Dutch will not abolish. We wait, therefore on prudential principles, till they join us, or set us an example."

How, sir, is this enormous evil ever to be eradicated, if every nation is thus prudentially to wait till the concurrence of all the world shall have been obtained?—Let me remark too, that there is no nation in Europe that has, on the one hand, plunged so deeply into this guilt as Britain; or that is so likely, on the other, to be looked up to as an example, if she should have the manliness to be the first in decidedly renouncing it. But, Sir, does not this argument apply a thousand times more strongly in a contrary way? How much more justly may *other* nations point to *us*, and say, "Why should we abolish the slave-trade when Great Britain has not abolished? Britain, free as she is, just and honourable as she is, and deeply also involved as she is in this commerce above all nations, not only has not abolished, but has refused to abolish.—She has investigated it well; she has gained the completest insight into its nature and effects; she has collected volumes of evidence on every branch of the subject. Her senate has deliberated—has deliberated again and again—and what is the result? She has gravely and

solemnly determined to sanction the slave-trade. She sanctions it at least for a while—her legislature, therefore, it is plain, sees no guilt in it, and has thus furnished us with the strongest evidence that she can furnish,—of the justice unquestionably, —and of the policy also, in a certain measure and in certain cases at least, of permitting this traffic to continue."

This, Sir, is the argument with which we furnish the other nations of Europe, if we again refuse to put an end to the slave-trade. Instead, therefore, of imagining, that by choosing to presume on their continuing it, we shall have exempted ourselves from guilt, and have transferred the whole criminality to them; let us rather reflect that on the very principle urged against us, we shall henceforth have to answer for their crimes, as well as our own. We have strong reasons to believe that it depends upon us, whether other countries will persist in this bloody trade or not. Already we have suffered one year to pass away, and now that the question is renewed, a proposition is made for gradual, with the view of preventing immediate abolition. I know the difficulty that exists in attempting to reform long-established abuses; and I know the danger arising from the argument in favour of delay, in the case of evils which nevertheless are thought too enormous to be borne, when considered as perpetual. But by proposing some other period than the present, by prescribing some condition, by waiting for some contingency, or by refusing to proceed till a thousand favourable circumstances unite together; perhaps until we obtain the general concurrence of Europe (a concurrence which I believe never yet took place at the commencement of any one improvement in policy or in morals); year after year escapes, and the most enormous evils go unredressed. We see this abundantly exemplified, not only in public, but in private life. Similar observations have been applied to the case of personal reformation. If you go into the street, it is a chance but the first person who crosses you is one, "*Vivendi recte qui prorogat horam.*" We may wait; we may delay to cross the stream before us, till it has run down; but we shall wait for ever, for the river will still flow on, without being exhausted.

We shall be no nearer the object which we profess to have in view, so long as the step, which alone can bring us to it is not taken. Until the actual, the only remedy is applied, we ought neither to flatter ourselves that we have as yet thoroughly laid to heart the evil we affect to deplore; nor that there is as yet any reasonable assurance of its being brought to an actual termination.

It has also been occasionally urged, that there is something in the disposition and nature of the Africans themselves, which renders all prospect of civilization on that continent extremely unpromising. "It has been known," says Mr. Frazer, in his evidence, "that a boy has been put to death, who was refused to be purchased as a slave." This single story was deemed by that gentleman a sufficient proof of the barbarity of the Africans, and of the inutility of abolishing the slave-trade. My honourable friend, however, has told you, that this boy had previously run away from his master three several times; that the master had to pay his value according to the custom of his country, every time he was brough back; and that partly from anger at the boy for running away so frequently, and partly to prevent a still further repetition of the same expense, he determined to put him to death. Such was the explanation of the story given in the cross-examination. This, sir, is the signal instance that has been dwelt upon of African barbarity.—This *African*, we admit, was *unenlightened*, and altogether barbarous: but let us now ask what would a *civilized* and *enlightened West-Indian*, or a body of West-Indians, have done in any case of a parallel nature? I will quote you, Sir, a law passed in the West Indies, in the year 1722, which, in turning over the book, I happened just now to cast my eye upon; by which law, this very same crime of running away, is, by the legislature of the island,—by the grave and deliberate sentence of that enlightened legislature, punished with death: and this, not in the case only, of the third offence, but even in the very first instance. It is enacted, "that if any negro, or other slave shall withdraw himself from his master, for the term of six months; or any slave

that was absent, shall not return within that time, it shall be adjudged felony, and every such person shall suffer death." There is also another West-Indian law, by which every negro's hand is armed against his fellow-negroes, by his being authorized to kill a run-away slave, and even having a reward held out to him for doing so. Let the house now contrast the two cases. Let them ask themselves which of the two exhibits the greater barbarity? Let them reflect, with a little candour and liberality, whether on the ground of any of those facts, and loose insinuations as to the sacrifices to be met with in the evidence, they can possibly reconcile to themselves the excluding of Africa, from all means of civilization? Whether they can possibly vote for the continuance of the slave-trade upon the principle, that the Africans have shewn themselves to be a race of *incorrigible barbarians?*

I hope, therefore, we shall hear no more of the moral impossibility of civilizing the Africans, nor have our understandings and consciences again insulted, by being called upon to sanction the slave-trade, until other nations shall have set the example of abolishing it. While we have been deliberating upon the subject, one nation, not ordinarily taking the lead in politics, nor by any means remarkable for the boldness of its councils, has determined on a gradual abolition; a determination, indeed, which, since it permits for a time the existence of the slave-trade, would be an unfortunate pattern for our imitation. France, it is said, will take up the trade, if we relinquish it. What? Is it supposed that in the present situation of St. Domingo, of an island which used to take three-fourths of all the slaves required by the colonies of France, she, of all countries, will think of taking it up? What countries remain? The Portuguese, the Dutch, and the Spaniards. Of those countries let me declare it is my opinion, that if they see us renounce the trade, after full deliberation, they will not be disposed, even on principles of policy, to rush further into it. But I say more: How are they to furnish the capital necessary for carrying it on? If there is any aggravation of our guilt, in this wretched

business, greater than another, it is that we have stooped to be the carriers of these miserable beings from Africa to the West Indies for all the other powers of Europe. And now, Sir, if we retire from the trade altogether, I ask, where is that fund which is to be raised at once by other nations, equal to the purchase of 30 or 40,000 slaves? A fund, which if we rate them at 40*l.* or 50*l.* each, cannot make a capital of less than a million and a half, or two millions of money. From what branch of their commerce is it that these European nations will draw together a fund to feed this monster?—to keep alive this detestable commerce? And even if they should make the attempt, will not that immense chasm, which must instantly be created in the other parts of their trade, from which this vast capital must be withdrawn in order to supply the slave-trade, be filled up by yourselves?—Will not these branches of commerce which they must leave, and from which they must withdraw their industry and their capitals, in order to apply them to the slave-trade, be then taken up by British merchants?—Will you not even in this case find your capital flow into these deserted channels?—Will not your capital be turned from the slave-trade to that natural and innocent commerce from which they must withdraw their capitals, in proportion as they take up the traffic in the flesh and blood of their fellow-creatures?

The committee sees, I trust, how little ground of objection to our proposition there is in this part of our adversaries' argument.

Having now detained the house so long, all that I will further add, shall be on that important subject, the civilization of Africa, which I have already shewn that I consider as the leading feature in this question. Grieved am I to think that there should be a single person in this country, much more that there should be a single member in the British parliament, who can look on the present dark, uncultivated, and uncivilized state of that continent, as a ground for continuing the slave-trade,—as a ground not only for refusing to attempt the improvement of Africa, but even for hindering and intercepting every ray of

light which might otherwise break in upon her,—as a ground for refusing to her the common chance and the common means, with which other nations have been blessed, of emerging from their native barbarism.

Here, as in every other branch of this extensive question, the argument of our adversaries pleads against them; for, surely, Sir, the present deplorable state of Africa, especially when we reflect that her chief calamities are to be ascribed to us, calls for our generous aid, rather than justifies any despair on our part of her recovery, and still less any further repetition of our injuries.

I will not much longer fatigue the attention of the house; but this point has impressed itself so deeply on my mind, that I must trouble the committee with a few additional observations. Are we justified, I ask, on any one ground of theory, or by any one instance to be found in the history of the world, from its very beginning to this day, in forming the supposition which I am now combating? Are we justified in supposing that the particular practice which we encourage in Africa, of men's selling each other for slaves, is any symptom of a barbarism that is incurable? Are we justified in supposing that even the practice of offering up human sacrifices proves a total incapacity for civilization? I believe it will be found, and perhaps much more generally than is supposed, that both the trade in slaves, and the still more savage custom of offering human sacrifices, obtained in former periods, throughout many of those nations which now, by the blessings of Providence, and by a long progression of improvements, are advanced the farthest in civilization. I believe, Sir, that, if we will reflect an instant, we shall find that this observation comes directly home to our own selves; and that, on the same ground on which we are now disposed to proscribe Africa for ever from all possibility of improvement, we ourselves might, in like manner, have been proscribed and for ever shut out from all the blessings which we now enjoy.

There was at a time, Sir, which it may be fit sometimes to revive in the remembrance of our countrymen, when even human sacrifices are said to have been offered in this island. But I would

peculiarly observe on this day, for it is a case precisely in point, that the very practice of the slave-trade once prevailed among us. Slaves, as we may read in Henry's history of Great Britain, were formerly an established article of our exports. "Great numbers," he says, "were exported like cattle, from the British coast, and were to be seen exposed for sale in the Roman market." It does not distinctly appear, by what means they were procured; but there was unquestionably no small resemblance, in this particular point, between the case of our ancestors and that of the present wretched natives of Africa—for the historian tells you that "adultery, witchcraft, and debt were probably some of the chief sources of supplying the Roman market with British slaves—that prisoners taken in war were added to the number—and that there might be among them some unfortunate gamesters who, after having lost all their goods, at length staked themselves, their wives, and their children." Every one of these sources of slavery has been stated, and almost precisely in the same terms, to be at this hour a source of slavery in Africa. And these circumstances, Sir, with a solitary instance or two of human sacrifices, furnish the alleged proofs, that Africa labours under a natural incapacity for civilization; that it is enthusiasm and fanaticism to think that she can ever enjoy the knowledge and the morals of Europe; that Providence never intended her to rise above a state of barbarism; that Providence has irrevocably doomed her to be only a nursery for slaves for us free and civilized Europeans. Allow of this principle, as applied to Africa, and I should be glad to know why it might not also have been applied to ancient and uncivilized Britain. Why might not some Roman Senator, reasoning on the principles of some honourable gentlemen, and pointing to *British barbarians*, have predicted with equal boldness, "*There* is a people that will never rise to civilization—*there* is a people destined never to be free—a people without the understanding necessary for the attainment of useful arts; depressed by the hand of nature below the level of the human species; and created to form a supply of slaves for the rest of the world." Might not this have been said, ac-

cording to the principles which we now hear stated, in all respects as fairly and as truly of Britain herself, at that period of her history, as it can now be said by us of the inhabitants of Africa?

We, Sir, have long since emerged from barbarism—we have almost forgotten that we were once barbarians—we are now raised to a situation which exhibits a striking contrast to every circumstance, by which a Roman might have characterized us, and by which we now characterize Africa. There is indeed one thing wanting to complete the contrast, and to clear us altogether from the imputation of acting even to this hour as barbarians; for we continue to this hour a barbarous traffic in slaves; we continue it even yet in spite of all our great and undeniable pretensions to civilization. We were once as obscure among the nations of the earth, as savage in our manners, as debased in our morals, as degraded in our understandings, as these unhappy Africans are at present. But in the lapse of a long series of years, by a progression slow, and for a time almost imperceptible, we have become rich in a variety of acquirements, favoured above measure in the gifts of Providence, unrivalled in commerce, pre-eminent in arts, foremost in the pursuits of philosophy and science, and established in all the blessings of civil society: We are in the possession of peace, of happiness, and of liberty; we are under the guidance of a mild and beneficent religion; and we are protected by impartial laws, and the purest administration of justice: we are living under a system of government, which our own happy experience leads us to pronounce the best and wisest which has ever yet been framed; a system which has become the admiration of the world. From all these blessings, we must for ever have been shut out, had there been any truth in those principles which some gentlemen have not hesitated to lay down as applicable to the case of Africa. Had those principles been true, we ourselves had languished to this hour in that miserable state of ignorance, brutality, and degradation, in which history proves our ancestors to have been immersed. Had other nations adopted these principles in their conduct

towards us; had other nations applied to Great Britain the reasoning which some of the senators of this very island now apply to Africa, ages might have passed without our emerging from barbarism; and we, who are enjoying the blessings of British civilization, of British laws, and British liberty, might, at this hour, have been little superior, either in morals, in knowledge, or refinement, to the rude inhabitants of the Coast of Guinea.

If then we feel that this perpetual confinement in the fetters of brutal ignorance, would have been the greatest calamity which could have befallen us; if we view with gratitude and exultation the contrast between the peculiar blessings we enjoy, and the wretchedness of the ancient inhabitants of Britain; if we shudder to think of the misery which would still have overwhelmed us, had Great Britain continued to the present times to be the mart for slaves to the more civilized nations of the world, through some cruel policy of theirs, God forbid that we should any longer subject Africa to the same dreadful scourge, and preclude the light of knowledge, which has reached every other quarter of the globe from having access to her coasts!

I trust we shall no longer continue this commerce, to the destruction of every improvement on that wide continent; and shall not consider ourselves as conferring too great a boon, in restoring its inhabitants to the rank of human beings. I trust we shall not think ourselves too liberal, if, by abolishing the slave-trade, we give them the same common chance of civilization with other parts of the world, and that we shall now allow to Africa the opportunity—the hope—the prospect of attaining to the same blessings which we ourselves, through the favourable dispensations of Divine Providence, have been permitted, at a much more early period, to enjoy. If we listen to the voice of reason and duty, and pursue this night the line of conduct which they prescribe, some of us may live to see a reverse of that picture, from which we now turn our eyes with shame and regret. We may live to behold the natives of Africa engaged in the calm occupations of industry, in the pursuits of a just and legitimate commerce. We may behold the beams of science and philo-

sophy breaking in upon their land, which, at some happy period in still later times, may blaze with full lustre; and joining their influence to that of pure religion, may illuminate and invigorate the most distant extremities of that immense continent. Then may we hope that even Africa, though last of all the quarters of the globe, shall enjoy at length, in the evening of her days, those blessings which have descended so plentifully upon us in a much earlier period of the world. Then also will Europe, participating in her improvement and prosperity, receive an ample recompence for the tardy kindness, (if kindness it can be called) of no longer hindering that continent from extricating herself out of the darkness which, in other more fortunate regions, has been so much more speedily dispelled.

——Nos primus equis oriens afflavit anhelis;
Illic sera rubens accendit lumina Vesper.

Then, Sir, may be applied to Africa, those words, originally used indeed with a different view:

His demum exactis——————
Devenere locos lætos, et amœna vireta
Fortunatorum nemorum, sedesque beatas:
Largior hic campos Æther, et lumine vestit
Purpureo.

It is in this view, Sir,—it is an atonement for our long and cruel injustice towards Africa, that the measure proposed by my honourable friend most forcibly recommends itself to my mind. The great and happy change to be expected in the state of her inhabitants, is, of all the various and important benefits of the abolition, in my estimation, incomparably the most extensive and important.

I shall vote, Sir, against the adjournment; and I shall also oppose to the utmost every proposition, which in any way may tend either to prevent, or even to postpone for an hour, the total abolition of the slave-trade: a measure which, on all the various

grounds which I have stated, we are bound, by the most pressing and indispensable duty, to adopt.

The House divided on an amendment moved by Mr. Dundas, for inserting in the motion the word "gradually,"

Ayes.....193
Noes.....125

and the question thus amended was then put, and, after a second division, carried.

Ayes.....230
Noes.....85

February 1, 1793.

The order of the day being moved for taking into consideration his Majesty's message of the 28th of January, it was read by the Speaker, as follows:

"GEORGE R.

"His Majesty has given directions for laying before the House of Commons, copies of several papers which have been received from M. Chauvelin, late minister plenipotentiary from the Most Christian King, by his Majesty's secretary of state for foreign affairs, and of the answers returned thereto; and likewise copy of an order made by his Majesty in council, and transmitted by his Majesty's commands to the said M. Chauvelin, in consequence of the accounts of the atrocious act recently perpetrated at Paris.

"In the present situation of affairs, his Majesty thinks it indispensably necessary to make a further augmentation of his forces by sea and land; and relies on the known affection and zeal of the House of Commons to enable his Majesty to take the most effectual measures, in the present important conjuncture, for maintaining the security and rights of his own dominions; for supporting his allies; and for opposing views of aggrandizement and ambition on the part of France, which would be at all times dangerous to the general interests of Europe, but are peculiarly so, when connected with the propagation of principles which lead to the violation of the most sacred duties, and are utterly subversive of the peace and order of all civil society.

G. R."

Mr. PITT then rose:

Sir—I shall now submit to the house some observations on the

many important objects which arise out of the communication of his Majesty's message, and out of the present situation of this country. And in proceeding to the consideration of that message, the attention of the house should in the first instance, be strongly directed to that calamitous event,* to that dreadful outrage against every principle of religion, of justice, and of humanity, which has created one general sentiment of indignation and abhorrence in every part of this island, and most undoubtedly has produced the same effect in every civilized country

At the same time I am aware, that I should better consult not only my own feelings, but those of the house, if considerations of duty would permit me to draw a veil over the whole of this transaction, because it is, in fact, in itself, in all those circumstances which led to it, in all that attended it, and in all which have followed, or which are likely to follow it hereafter, so full of every subject of grief and horror, that it is painful for the mind to dwell upon it. It is a subject which, for the honour of human nature, it would be better, if possible, to dismiss from our memories, to expunge from the page of history, and to conceal it, both now and hereafter, from the observation of the world.

Excidat ille dies ævo, neu postera credant
Sæcula; nos certe taceamus, et obruta multâ
Nocte tegi nostræ patiamur crimina gentis.

These, Sir, are the words of a great historian † of France in a former period, and were applied to an occasion which had always been considered as an eternal reproach to the French nation: And the atrocious acts lately perpetrated at Paris are, perhaps, the only instances that furnish any match to that dreadful and complicated scene of proscription and blood. But whatever may be our feelings on this subject, since, alas! it is not possible that the present age should not be contaminated with its guilt; since

* The murder of the King of France.

† De Thou, who applies these words to the massacre of St. Bartholomew, and wishes that day could be blotted out of the history of France.

it is not possible that the knowledge of it should not be conveyed by the breath of tradition to posterity, there is a duty which we are called upon to perform—to enter our solemn protestation, that, on every principle by which men of justice and honour are actuated, it is the foulest and most atrocious deed which the history of the world has yet had occasion to attest.

There is another duty immediately relating to the interest of this and of every other country. Painful as it is to dwell upon this deed, since we cannot conceal what has happened, either from the view of the present age or of posterity, let us not deprive this nation of the benefit that may be derived from reflecting on some of the dreadful effects of those principles which are entertained and propagated with so much care and industry by a neighbouring country. We see in this one instance concentrated together, the effect of principles, which originally rest upon grounds that dissolve whatever has hitherto received the best sanctions of human legislation, which are contrary to every principle of law, human and divine. Presumptuously relying on their deceitful and destructive theories, they have rejected every benefit which the world has hitherto received from the effect either of reason, experience, or even of Revelation itself. The consequences of these principles have been illustrated by having been carried into effect in the single person of one, whom every human being commiserates. Their consequences equally tend to shake the security of commerce, to rob the meanest individual in every country of whatever is most dear and valuable to him.

They strike directly against the authority of all regular government, and the inviolable personal situation of every lawful sovereign. I do feel it, therefore, not merely a tribute due to humanity, not merely an effusion of those feelings which I possess in common with every man in this country, but I hold it to be a proper subject of reflection to fix our minds on the effect of those principles which have been thus dreadfully attested, before we proceed to consider of the measures which it becomes this

country to adopt, in order to avert their contagion, and to prevent their growth and progress in Europe.

However, notwithstanding that I feel strongly on this subject, I would, if possible, entreat of the house to consider even that calamitous event rather as a subject of reason and reflection, than of sentiment and feeling. Sentiment is often unavailing, but reason and reflection will lead to that knowledge which is necessary to the salvation of this and of all other countries. I am persuaded the house will not feel this as a circumstance which they are to take upon themselves, but that they will feel it in the manner in which I state it, as a proof of the calamities arising out of the most abominable and detestable principles; as a proof of the absence of all morals, of all justice, of all humanity, and of every principle which does honour to human nature; and, that it furnishes the strongest demonstration of the dreadful outrage which the crimes and follies of a neighbouring nation have suggested to them. I am persuaded the house will be sensible that these principles, and the effects of them, are narrowly to be watched, that there can be no leading consideration more nearly connected with the prospect of all countries, and most of all, that there can be no consideration more deserving the attention of this house, than to crush and destroy principles which are so dangerous and destructive of every blessing this country enjoys under its free and excellent constitution. We owe our present happiness and prosperity, which has never been equalled in the annals of mankind, to a mixture of monarchical government. We feel and know we are happy under that form of government. We consider it as our first duty to maintain and reverence the British constitution, which, for wise and just reasons of lasting and internal policy, attaches inviolability to the sacred person of the Sovereign, though, at the same time, by the responsibility it has annexed to government, by the check of a wise system of laws, and by a mixture of aristocratic and democratical power in the frame of legislation, it has equally exempted itself from the danger arising from the exercise of absolute power

on the one hand, and the still more dangerous contagion of popular licentiousness on the other. The equity of our laws, and the freedom of our political system, have been the envy of every surrounding nation. In this country no man, in consequence of his riches or rank, is so high as to be above the reach of the laws, and no individual is so poor or inconsiderable as not to be within their protection. It is the boast of the law of England, that it affords equal security and protection to the high and the low, to the rich and the poor.

Such is the envied situation of England, which may be compared, if I may be allowed the expression, to the situation of the temperate zone on the surface of the globe, formed by the bounty of Providence for habitation and enjoyment, being equally removed from the polar frosts on the one hand, and the scorching heat of the torrid zone on the other; where the vicissitude of the seasons, and the variety of the climate, contribute to the vigour and health of its inhabitants, and to the fertility of its soil; where pestilence and famine are unknown, as also earthquakes, hurricanes, &c. with all their dreadful consequences. Such is the situation, the fortunate situation of Britain: and what a splendid contrast does it form to the situation of that country which is exposed to all the tremendous consequences of that ungovernable, that intolerable and destroying spirit, which carries ruin and desolation where-ever it goes!

Sir, this infection can have no existence in this happy land, unless it is imported, unless it is studiously and industriously brought into this country. These principles are not the natural produce of Great Britain, and it ought to be our first duty, and principal concern, to take the most effectual measures in order to stop their growth and progress in this country, as well as in the other nations of Europe.

Under this impression, I wish to bring the house to the consideration of the situation in which we stand with respect to France, and with respect to the general state of the different powers of Europe. This subject was very much discussed on the first day of the present session, and I had the good fortune to

concur with a very large majority of the house in the address that was presented to his Majesty, for his most gracious speech to both houses of parliament. Gentlemen then drew their inferences from those notorious facts which every man's observation presented to him: and those circumstances were supposed to excite every sentiment of jealousy and precaution. They induced the house to arm his Majesty, and the executive government, with those powers which were indispensably necessary for effectually providing for the safety of the country. Many weeks have now elapsed since the beginning of the session, when the country appeared to be in a critical situation. Let us consider what are the circumstances now to attract our attention at the moment when the message of his Majesty calls on us for farther decision.

The papers which contain the communication between this country and France, consist of two different parts. The one comprehends the communication between this country and France, prior to the period which attracted those sentiments of jealousy I have stated:—This part also contains those comments which have taken place since, and those explanations which have been entered into by his Majesty's permission, with a view, if possible, that our jealousy might be removed in consequence of some step that might be taken. The other part consists, either of what were notorious facts at the meeting of parliament, or of those notorious facts which, though not officially communicated by his Majesty, were very generally known to the public.

The first part of these papers has never before been made public. The date of the first communication is May 12th, 1792. And the communication from that period till the 8th of July, contains the system on which his Majesty acted between France and the other European powers. From that period, down to the meeting of Parliament, his Majesty had most scrupulously observed the strictest neutrality with respect to France. He had taken no part whatever in the regulation of her internal government. He had given her no cause of complaint; and therefore the least return he might expect, was, that France would be cau-

tious to avoid every measure that could furnish any just ground of complaint to his Majesty. He might also well expect that France would have felt a proper degree of respect for the rights of himself and his allies. His Majesty might most of all expect, that, in the troubled state of that country, they would not have chosen to attempt an interference with the internal government of this country, for the sole purpose of creating dissension among us, and of disturbing a scene of unexampled felicity. But fortunately for this country, they did not succeed. The express assurances contained in the papers which have been printed and are now on the table, the very compact on the part of France does distinctly and precisely apply to every one of these points.

I have no doubt but gentlemen have applied the interval in perusing these papers with sufficient attention, to make it unnecessary for me to trouble them with more than the leading points. You will perceive, that the very first communication is from M. Chauvelin, May 12th, 1792, and contains this passage:

"Thus the King (of France) saw himself forced into a war, which was already declared against him; but, religiously faithful to the principles of the constitution, whatever may finally be the fate of arms in this war, France rejects all ideas of aggrandizement. She will preserve her limits, her liberty, her constitution, her unalienable right of reforming herself whenever she may think proper; she will never consent that, under any relation, foreign powers should attempt to dictate, or even dare to nourish a hope of dictating laws to her. But this very pride, so natural and so great, is a sure pledge to all the powers from whom she shall have received no provocation, not only of her constantly pacific dispositions, but also of the respect which the French well know how to shew at all times for the laws, the customs, and all the forms of government of different nations.

"The King indeed wishes it to be known, that he would publicly and severely disavow all those of his agents at foreign courts in peace with France, who should dare to depart an instant from that respect, either by fomenting or favouring insurrections against the established order, or by interfering in any manner whatever in

the interior policy of such states, under pretence of a proselytism, which, exercised in the dominions of friendly powers, would be a real violation of the law of nations."

This paper therefore contains a declaration, that whatever might be the fate of arms, France rejected all ideas of aggrandizement; she would preserve her rights, she would preserve her limits and her liberty. This declaration was made in the name of the king.

Gentlemen must remember, after the first revolution, and after the establishment of what they called the model of a government of liberty, the king wished it to be known, that he would publicly disavow all those of his agents at foreign courts, in peace with France, who should dare to depart an instant from that respect, either by fomenting or raising insurrections, or by interfering in any manner whatever in the internal government of such states, under pretence of proselytism, which would be a real violation of the law of nations, They have therefore passed, by anticipation, that sentence on their own conduct; and whether we shall pass a different sentence, is one of the objects of this day's consideration.

In the passage I have read, two distinct principles are laid down: the one, that whatever might be the fate of arms, France renounced all ideas of aggrandizement, and declared she would confine herself within her own territories; the other, that to foment and raise insurrections in neutral states, under pretence of proselytism, was a violation of the law of nations. It is evident to all Europe, her conduct has been directly the reverse of those principles, both of which she has trampled under foot, in every instance where it was in her power. In the answer to that note of M. Chauvelin, his Majesty expresses his concern for the war that had arisen, for the situation of his Most Christian Majesty, and for the happiness of his dominions. He also gives him a positive assurance of his readiness to fulfil, in the most exact manner, the stipulations of the treaty of navigation and commerce; and concludes with these words:

"Faithful to all his engagements, his Majesty will pay the

strictest attention to the preservation of the good understanding which so happily subsists between him and his Most Christian Majesty, expecting with confidence, that, animated with the same sentiments, his Most Christian Majesty will not fail to contribute to the same end, by causing, on his part, the rights of his Majesty and his allies to be respected, and by rigorously forbidding any step which might affect the friendship which his Majesty has ever desired to consolidate and perpetuate, for the happiness of the two empires."

We may also see what general assurances France thought fit to make to Great Britain, from a note from M. Chauvelin to Lord Grenville, dated June 8, 1792; where it is said,

"The King of the French is happy to renew to the King of Great Britain the formal assurance, that every thing which can interest the rights of his Britannic Majesty will continue to be the object of his most particular and most scrupulous attention.

"He hastens, at the same time, to declare to him, that the rights of all the allies of Great Britain, who shall not have provoked France by hostile measures, shall by him be no less religiously respected.

"In making, or rather renewing this declaration, the King of the French enjoys the double satisfaction of expressing the wish of a people, in whose eyes every war, which is not rendered necessary by a due attention to its defence, is essentially unjust, and of joining particularly in the wishes of his Majesty, for the tranquillity of Europe, which would never be disturbed, if France and England would unite in order to preserve it."

Such then, Sir, is the situation in which his Majesty stands with respect to France. During the transactions of the last summer, when France was engaged in a war against the powers of Austria and Prussia, his Majesty departed in no shape from that neutrality. His Majesty did no one act from which it could be justly inferred, that he was friendly to that system. But what, let me ask the house, has been the conduct of France as to those express

reiterated assurances, applied to the public concerns which I have now detailed?

These assurances went to three points: to a determination to abstain from views of aggrandizement; not to interfere with the government of neutral nations, which they admitted to be a violation of the law of nations; and to observe the rights of his Majesty and his allies. What has been the conduct of France on these three points, under the new system? She has, both by her words and actions, manifested a determination, if not checked by force, to act on principles of aggrandizement. She has completely disclaimed that maxim, "that whatever was the fate of their arms in war, France rejected all ideas of aggrandizement." She has made use of the first moment of success to publish a contradiction to that declaration. She has made use of the first instance of success in Savoy, without even attempting the ceremony of disguise, (after having professed a determination to confine herself within her ancient limits,) to annex it for ever as an eighty-fourth department to the present sovereignty of France. They have by their decree announced a determination to carry on a similar operation in every country into which their arms can be carried, with a view, in substance, if not in name, to do the same thing in every country where they can with success.

Their decree of the 15th of December contains a fair illustration and confirmation of their principles and designs. They have by that decree expressly stated the plan on which they mean to act. Whenever they obtain a temporary success, whatever be the situation of the country into which they come, whatever may have been its antecedent conduct, whatever may be its political connections, they have determined not to abandon the possession of it, till they have effected the utter and absolute subversion of its form of government, of every ancient, every established usage, however long they may have existed, and however much they may have been revered. They will not accept, under the name of liberty, any model of government, but that which is conformable to their own opinions and ideas; and all men must

learn from the mouth of their cannon the propagation of their system in every part of the world. They have regularly and boldly avowed these instructions, which they sent to the commissioners who were to carry these orders into execution. They have stated to them what this house could not believe, they have stated to them a revolutionary principle and order, for the purpose of being applied in every country in which the French arms are crowned with success. They have stated, that they would organize every country by a disorganizing principle; and afterwards, they tell you all this is done by the will of the people. Where-ever our arms come, revolutions must take place, dictated by the will of the people. And then comes this plain question, what is this will of the people? It is the power of the French. They have explained what that liberty is which they wish to give to every nation; and if they will not accept of it voluntarily, they compel them. They take every opportunity to destroy every institution that is most sacred and most valuable in every nation where their armies have made their appearance; and under the name of liberty, they have resolved to make every country in substance, if not in form, a province dependent on themselves, through the despotism of Jacobin societies. This has given a more fatal blow to the liberties of mankind, than any they have suffered, even from the boldest attempts of the most aspiring monarch. We see, therefore, that France has trampled under foot all laws, human and divine. She has at last avowed the most insatiable ambition, and greatest contempt for the law of nations, which all independent states have hitherto professed most religiously to observe; and unless she is stopped in her career, all Europe must soon learn their ideas of justice—law of nations—models of government—and principles of liberty from the mouth of the French cannon.

I gave the first instance of their success in Savoy, as a proof of their ambition and aggrandizement. I wish the house to attend to the practical effect of their system, in the situation of the Netherlands. You will find, in some of the correspondence be-

tween France and this country, this declaration on the part of France:

"She has renounced, and again renounces every conquest, and her occupation of the Low Countries shall only continue during the war and the time which may be necessary to the Belgians to ensure and consolidate their liberty; after which, they will be independent and happy. France will find her recompence in her felicity."

I ask whether this can mean any thing else, than that they hope to add the Netherlands, as an 84th or 85th department, to the French republic; whether it does not mean a subjugation of the Netherlands, to the absolute power of France, to a total and unequalled dependence on her? If any man entertains doubts upon the subject, let him look at the allegations of Dumourier, enforced by martial law. What was the conduct of this general, when he arrived at Brussels? Did he not assemble the inhabitants in the most public part of their cit* to elect the primary assemblies? How agreeable must have been his arrival in the Netherlands, by his employing threats to procure a general illumination on his entrance into Brussels! A hollow square of the French troops was drawn round the tree of liberty, to prevent the natives from pulling down the emblem of French freedom. This shews how well disposed the people were to receive the French system of liberty! This is the manner in which their principles are carried into effect in the different countries of Europe. I may here mention the conduct of the convention, on the occasion of an address from the people of Mons, in which they desire that the province of Hainault might be added as an 85th department of France. The convention referred the address to a committee, to report the form in which countries, wishing to unite with France, were to be admitted into the union. The convention could not decide upon it, and therefore they sent it to a committee to point out the manner in which they were to make their application for that purpose, so that the receiving of them was to be a fixed and standing principle, which in its con-

sequences, if not timely prevented, must destroy the liberties and independence of England, as well as of all Europe.

I would next proceed to their confirmed pledge, not to interfere in the government of other neutral countries. What they have done here is in countries which, under some pretence or other, they have made their enemies. I need not remind the house of the decree of the 19th of November, which is a direct attack on every government in Europe, by encouraging the seditious of all nations to rise up against their lawful rulers, and by promising them their support and assistance. By this decree, they hold out an encouragement to insurrection and rebellion in every country in the world. They shew you they mean no exception, by ordering this decree to be printed in all languages.—And therefore I might ask any man of common sense, whether any nation upon earth could be out of their contemplation at the time they passed it? And whether it was not meant to extend to England, whatever might be their pretences to the contrary? It is most manifest they mean to carry their principles into every nation, without exception, subvert and destroy every government, and to plant on their ruins their sacred tree of liberty.

Some observations, to which they have affected to give the name of explanations, have been applied to this decree, and are these: "Now to come to the three points which can alone make an object of difficulty at the court of London, the executive council observe respecting the first, which is the decree of the 19th of November, that we have not been properly understood by the ministry of his Britannic Majesty, when they accuse us of having given an explanation *which announces to the seditious of all nations, what are the cases in which they may previously count on the support and assistance of France.* Nothing could be more foreign than this reproach to the sentiments of the national convention, and to the explanation we have given of them; and we did not think it was possible we should be charged with the open design of favouring the *seditious*, at the very moment, when we declare that it would be *wronging the national convention, if they were charged with the project of protecting insurrections,*

and with the commotions that may break out in any corner of a state, of joining the ring-leaders, and of thus making the cause of a few private individuals that of the French nation.

"We have said, and we desire to repeat it, that the decree of the 19th of November could not have any application unless to the single case in which the GENERAL WILL of a nation clearly and unequivocally expressed, should call the French nation to its assistance and fraternity. Sedition can certainly never be construed into the GENERAL WILL. These two ideas mutually repel each other, since a sedition is not and cannot be any other than the movement of a small number against the nation at large. And this movement would cease to be seditious, provided all the members of a society should at once rise, either to reform its government, or to change its form *in toto*, or for any other object.

"The Dutch were assuredly not seditious, when they formed the generous resolution of shaking off the yoke of Spain; and when the general will of that nation called for the assistance of France, it was not reputed a crime in Henry IV, or in Elizabeth of England, to have listened to them. The knowledge of the *general will* is the only basis of the transactions of nations with each other; and we can only treat with any government whatever on this principle, that such a government is deemed *the organ of the general will of the nation governed.*

"Thus when by this natural interpretation, the decree of the 19th of November is reduced to what it truly implies, it will be found, that it announces nothing more than an act of the general will, and that beyond any doubt so effectually founded in right, that it was scarcely worth the trouble to express it. On this account, the executive council thinks that the evidence of this right might, perhaps, have been dispensed with, by the national convention, and did not deserve to be made the object of a particular decree; but with the interpretation that precedes it, it cannot give uneasiness to any nation whatever."

To all this I shall only observe, that in the whole context of their language, on every occasion, they shew the clearest inten-

tion to propagate their principles all over the world. Their explanations contain only an avowal and repetition of the offence. They have proscribed royalty as a crime, and will not be satisfied but with its total destruction. The dreadful sentence which they have executed on their own unfortunate monarch, applies to every sovereign now existing. And lest you should not be satisfied that they mean to extend their system to this country, the conduct of the national convention has applied itself, by repeated acts, to yourselves by name, which makes any explanation on their part unsatisfactory and unavailing. There is no society in England, however contemptible in their numbers, however desperate in their principles, and questionable in their existence, who possessed treason and disloyalty, who were not cherished, justified, and applauded, and treated even with a degree of theatrical extravagance at the bar of the national convention. You have also a list of the answers given to them at that bar. And, after all this, am I to ask you, whether England is one of the countries into which they wish to introduce a spirit of proselytism? which, exercised in the dominions of friendly powers, they themselves admit, would be a violation of the law of nations.

On the third point it is unnecessary for me to expatiate,—I mean on the violation of the rights of his Majesty, or of his allies.

To insist upon the opening of the river Scheldt, is an act of itself, in which the French nation had no right to interfere at all, unless she was the sovereign of the Low Countries, or boldly professed herself the general arbitress of Europe. This singular circumstance was an aggravation of their case, because they were bound by the faith of solemn and recent treaties to secure to the Dutch the exclusive navigation of the Scheldt, and to have opposed the opening of that river, if any other power had attempted it. If France were the sovereign of the Low Countries, she would only succeed to the rights which were enjoyed by the house of Austria: and if she possessed the sovereignty, with all its advantage, she must also take it with

all its incumbrances, of which the shutting up of the Scheldt was one. France can have no right to annul the stipulations relative to the Scheldt, unless she has also the right to set aside, equally, all the other treaties between all the powers of Europe, and all the other rights of England, or of her allies. England will never consent that France shall arrogate the power of annulling at her pleasure, and under the pretence of a natural right of which she makes herself the only judge, the political system of Europe, established by solemn treaties, and guaranteed by the consent of all the powers. Such a violation of rights as France has been guilty of, it would be difficult to find in the history of the world. The conduct of that nation is in the highest degree arbitrary, capricious, and founded upon no one principle of reason and justice. They declare this treaty was antiquated, and extorted by despotism, or procured by corruption. But what happened recently in the last year? This new and enlightened nation renewed her assurances of respecting all the rights of all his Majesty's allies, without any exception, without any reservation, so that the advancement of this claim is directly contrary to their recent professions. From the treaty of Munster, down to the year 1785, the exclusive navigation of the Scheldt has been one of the established rights of Holland. We are told it is to be said, no formal requisition has been made by Holland for the support of this country. I beg gentlemen to consider, whether ships going up the Scheldt, after a protest of the States General, was not such an act as to have justified them in calling upon this country for a contingent of men. If this house means substantial good faith to its engagements, if it retains a just sense of the solemn faith of treaties, it must shew a determination to support them. Without entering too far upon this subject, let me call to their attention, for a moment, one circumstance,—I mean the sudden effect and progress of French ambition, and of French arms. If from that circumstance, Holland had just reason to be afraid to make a formal requisition; if she had seen just reason not to do what she might have been well justified in doing, that was no reason

why we should not observe our treaty. Are we to stand by as indifferent spectators, and look at France trampling upon the ancient treaties of the allies of this country? Are we to view with indifference the progress of French ambition, and of French arms, by which our allies are exposed to the greatest danger? This is surely no reason for England to be inactive and slothful. If Holland has not immediately called upon us for our support and assistance, she may have been influenced by motives of policy, and her forbearance ought not to be supposed to arise from her indifference about the river Scheldt. If Holland had not applied to England when Antwerp was taken, the French might have overrun her territory. And unless we wish to stand by, and to suffer state after state to be subverted under the power of France, we must now declare our firm resolution effectually to oppose those principles of ambition and aggrandizement, which have for their object the destruction of England, of Europe, and of the world.

The next thing is, whether we see any thing in these papers, which furnishes an answer to the past, or gives any security for the future? What does the explanation amount to on the subject of the treaty of our allies? It refers to the possibility of negociation at an indefinite period. She says, "she (France) has renounced, and again renounces every conquest, and her occupation of the Low Countries shall only continue during the war, and the time which may be necessary to the Belgians to ensure and consolidate their liberty; after which, they will be independent and happy, and France will find her recompense in their felicity." What is this but an avowal of their former declarations?

On the subject of interference with neutral nations, there is one or two explanations of the decree of the 19th of November, which has been so often discussed. We are, indeed, told it is injurious to suppose the National Convention could have intended to apply this decree to any country but where, by the public will, they have been called to give assistance and fraternity.—This is in fact to advertise for treason and rebellion. Is there any man who could give credit to the reception which the

English societies received in France? Though their numbers are too contemptible for the animadversion of the law,—or the notice of our own executive government, they were considerable enough for the national convention. They tell you they are the clear, undisputed, constituted organ of the will of the people at large. What reliance can be placed in all their explanations, after the avowal of principles to the last degree dangerous to the liberty, the constitution, the independence, and the very existence of this country?

My time and my strength would fail me, if I were to attempt to go through all those various circumstances, which are connected with this subject. I shall take the liberty of reading a passage from a publication which came into my hands this morning, and I am extremely glad to have seen collected together, so many instances in which the conduct of France is detected. In a note from M. Chauvelin, dated December 27th, 1792, he complains of the harsh construction which the British ministry had put on the conduct of France, and professes the strongest friendship for Great Britain. And yet, on the 31st of December, 1792, that is in four days after, one of the members of the executive council, who had given these assurances to England, wrote this letter to the friends of liberty, and equality, in all the sea-ports in France.

"The government of England is arming, and the King of Spain, encouraged by this, is preparing to attack us. These two tyrannical powers, after persecuting the patriots in their own territories, think, no doubt, that they shall be able to influence the judgment to be pronounced on the tyrant Louis. They hope to frighten us. But no! a people who has made itself free; a people who has driven out of the bosom of France, and as far as the distant borders of the Rhine, the terrible army of the Prussians and Austrians; the people of France will not suffer laws to be dictated to them by a tyrant.

"The king and his parliament mean to make war against us! will the English republicans suffer it? Already these free men shew their discontent, and the repugnance which they have to

bear arms against their brothers, the French. Well! we will fly to their succour; we will make a descent on the island; we will lodge there fifty thousand caps of liberty; we will plant there the sacred tree, and we will stretch out our arms to our republican brethren; *the tyranny of their government will soon be destroyed.* Let every one of us be strongly impressed with this idea!—MONGE."

Such is the declaration of the sentiments of the minister of the marine; a declaration which separates not only the king, but the king and parliament of Great Britain from the people, who are called republicans. What faith can be put in assurances given on the part of France by M. Chauvelin, on the 27th of December, when, in four days after, we find the minister of the marine writing such a letter? It was to be hoped we might have seen reasons, perhaps, in consequence of friendly explanations, for not going to war. But such explanations as this communication contains, have been justly rejected. I shall not detain the house longer on this subject.

I shall state now what appears to be the state of the negociation. I take the conduct of France to be inconsistent with the peace and liberty of Europe. They have not given us satisfaction with respect to the question in issue. It is true, what they call explanations have taken place; but their principles, and the whole manner of their conduct, are such, that no faith can be put in their declarations. Their conduct gives the lie to their public professions; and, instead of giving satisfaction on the distinct articles, on which you have a right to claim a clear and precise explanation, and shewing any desire to abandon those views of conquest and aggrandizement, to return within their ancient limits, and to set barriers to the progress of their destructive arms, and to their principles, still more destructive; instead of doing so, they have given,—explanations I cannot call them, but an avowal of those very things you complain of. And in the last paper from M. Chauvelin, which may therefore be considered as the *ultimatum*, are these words:

"After so frank a declaration, which manifests such a sincere

desire of peace, his Britannic Majesty's ministers ought not to have any doubts with regard to the intentions of France. If her explanations appear insufficient, and if we are still obliged to hear a haughty language; if hostile preparations are continued in the English ports, after having exhausted every means to preserve peace, we will prepare for war with the sense of the justice of our cause, and our efforts to avoid this extremity. We will fight the English, whom we esteem, with regret,—but we will fight them without fear."

This is an ultimatum to which you cannot accede. They have neither withdrawn their armies from the neighbouring nations, nor shewn the least disposition to withdraw them. If France is really desirous of maintaining friendship and peace with England, she must shew herself disposed to renounce her views of aggression and aggrandizement, and to confine herself within her own territory, without insulting other governments, without disturbing their tranquillity, without violating their rights. And unless she consent to these terms, whatever may be our wishes for peace, the final issue must be war. As to the time, as to the moment when war is to commence, if there is yet any possibility of satisfactory explanation, and security for the future, it is not to the last moment precluded. But I should disguise my sentiments to the house, if I stated, that I thought it in any degree probable. This country has always been desirous of peace. We desire it still, but such as may be real and solid, and consistent with the interests and dignity of Britain, and with the general security of Europe. War, whenever it comes, will be preferable to peace without honour, without security, and which is incompatible either with the external safety, or the internal happiness of this country.

I have endeavoured to comprehend as much as possible, though I am sensible I have left a great deal untouched. If any topic should afterwards arise, I trust I shall meet with the indulgence of the house in stating it. I shall now move, "That an humble address be presented to his Majesty, to return his Majesty the thanks of this house for his most gracious message, and

the communication of the papers, which, by his Majesty's command, have been laid before us.

"To offer his Majesty our heartfelt condolence on the atrocious act lately perpetrated at Paris, which must be viewed by every nation in Europe as an outrage on religion, justice, and humanity, and as a striking and dreadful example of the effects of principles which lead to the violation of the most sacred duties, and are utterly subversive of the peace and order of all civil society.

"To represent to his Majesty, that it is impossible for us not to be sensible of the views of aggrandizement and ambition which, in violation of repeated and solemn professions, have been openly manifested on the part of France, and which are connected with the propagation of principles incompatible with the existence of all just and regular government; that under the present circumstances, we consider a vigorous and effectual opposition to those views, as essential to the security of every thing that is most dear and valuable to us as a nation, and to the future tranquillity and safety of all other countries.

"That impressed with these sentiments, we shall, with the utmost zeal and alacrity, afford his Majesty the most effectual assistance, to enable his Majesty to make a further augmentation of his forces by sea and land, and to act as circumstances may require in the present important conjuncture, for maintaining the security and honour of his crown, for supporting the just rights of his allies, and for preserving to his people the undisturbed enjoyment of the blessings, which, under the Divine Providence, they receive from the British constitution!"

The address was agreed to without a division.

February 12, 1793.

THE order of the day was moved for taking into consideration the following message from his Majesty:

"GEORGE R.

"His Majesty thinks proper to acquaint the House of Commons, that the assembly now exercising the powers of government in France, have, without previous notice, directed acts of hostility to be committed against the persons and property of his Majesty's subjects, in breach of the law of nations, and of the most positive stipulations of treaty: and have since, on the most groundless pretences, actually declared war against his Majesty and the United Provinces. Under the circumstances of this wanton and unprovoked aggression, his Majesty has taken the necessary steps to maintain the honour of his crown, and to vindicate the rights of his people; and his Majesty relies with confidence on the firm and effectual support of the House of Commons, and on the zealous exertions of a brave and loyal people, in prosecuting a just and necessary war, and in endeavouring, under the blessing of Providence, to oppose an effectual barrier to the farther progress of a system which strikes at the security and peace of all independent nations, and is pursued in open defiance of every principle of moderation, good faith, humanity and justice.

"In a cause of such general concern, his Majesty has every reason to hope for the cordial co-operation of those powers who are united with his Majesty by the ties of alliance, or who feel an interest in preventing the extension of anarchy and confusion, and in contributing to the security and tranquillity of Europe. G. R."

As soon as the message was read,

MR. PITT rose and observed, that in proposing to the house an address in answer to his Majesty's message, he did not conceive that there could be any necessity, in the present instance, at least in one view of the subject, for troubling them much at large. Whatever difference of opinion might formerly have existed with respect to subjects, on which, however, the great majority both of that house and the nation had coincided in sentiment, whatever doubts might be entertained as to the interest, which this country had in the recent transactions on the continent, whatever question might be made of the satisfaction to

which this country was intitled, or whatever question might be made of the mode of conduct which had been pursued by government, which lately had not been carried so far as to produce even a division; yet when the situation in which we now stood was considered, when those circumstances which had occurred to produce an alteration in the state of affairs since the last address, were taken into the account, he could not doubt but that there would be one unanimous sentiment and voice expressed on the present occasion. The question now was, not what degree of danger or insult we should find it necessary to repel, from a regard to our safety, or from a sense of honour; it was, not whether we should adopt in our measures a system of promptitude and vigour, or of tameness and procrastination; whether we should sacrifice every other consideration to the continuance of an uncertain and insecure peace—When war was declared, and the event no longer in our option, it remained only to be considered, whether we should prepare to meet it with a firm determination, and support his Majesty's government with zeal and courage against every attack. War now was not only declared, but carried on at our very doors; a war which aimed at an object no less destructive than the total ruin of the freedom and independence of this country. In this situation of affairs, he would not do so much injustice to the members of that house, whatever differences of opinion might formerly have existed, as to suppose there could be any but one decision, one fixed resolution, in this so urgent necessity, in this imminent and common danger, by the ardour and firmness of their support, to testify their loyalty to their sovereign, their attachment to the constitution, and their sense of those inestimable blessings which they had so long enjoyed under its influence. Confident, however, as he was, that such would be their unanimous decision, that such would be their determined and unalterable resolution, he should not consider it as altogether useless to take a view of the situation of the country at the time of his Majesty's last message, of the circumstances which had preceded and accompanied it, and of the situation in which

we now stood, in consequence of what had occurred during that interval.

When his Majesty, by his message, informed them, that in the present situation of affairs he conceived it indispensably necessary to make a farther augmentation of his forces, they had cheerfully concurred in that object, and returned in answer, what then was the feeling of the house, the expression of their affection and zeal, and their readiness to support his Majesty in those purposes, for which he had stated an augmentation of force to be necessary. They saw the justice of the alarm which was then entertained, and the propriety of affording that support which was required. He should shortly state the grounds upon which they had then given their concurrence. They considered that whatever temptations might have existed to this country from ancient enmity and rivalship, paltry motives indeed! or whatever opportunity might have been afforded by the tumultuous and distracted state of France, or whatever sentiments might be excited by the transactions which had taken place in that nation, his Majesty had uniformly abstained from all interference in its internal government, and had maintained, with respect to it, on every occasion, the strictest and most inviolable neutrality.

Such being his conduct towards France, he had a right to expect on their part a suitable return; more especially, as this return had been expressly conditioned for by a compact, into which they entered, and by which they engaged to respect the rights of his Majesty and his allies, not to interfere in the government of any neutral country, and not to pursue any system of aggrandizement, or make any addition to their dominions, but to confine themselves, at the conclusion of the war, within their own territories. These conditions they had all grossly violated, and had adopted a system of ambitious and destructive policy, fatal to the peace and security of every government, and which, in its consequences, had shaken Europe itself to its foundation. Their decree of the 19th of November, which had been so much talked of offering fraternity and alliance to all

people who wish to recover their liberty, was a decree not levelled against particular nations, but against every country where there was any form of government established; a decree not hostile to individuals, but to the human race; which was calculated every where to sow the seeds of rebellion and civil contention, and to spread war from one end of Europe to the other, from one end of the globe to the other. While they were bound to this country by the engagements which he had mentioned, they had shewed no intention to exempt it from the consequences of this decree. Nay, a directly contrary opinion might be formed, and it might be supposed that this country was more particularly aimed at by this very decree, if we were to judge from the exultation with which they had received from different societies in England every address expressive of sedition and disloyalty, and from the eager desire which they had testified to encourage and cherish the growth of such sentiments. Not only had they shewed no inclination to fulfil their engagements, but had even put it out of their own power, by taking the first opportunity to make additions to their territory in contradiction to their own express stipulations. By express resolutions for the destruction of the existing government of all invaded countries, by the means of jacobin societies, by orders given to their generals, by the whole system adopted in this respect by the national assembly, and by the actual connection of the whole country of Savoy, they had marked their determination to add to the dominions of France, and to provide means, through the medium of every new conquest, to carry their principles over Europe. Their conduct was such, as in every instance had militated against the dearest and most valuable interests of this country.

The next consideration was, that under all the provocations which had been sustained from France, provocations which, in ordinary times, and in different circumstances, could not have failed to have been regarded as acts of hostility, and which formerly, not even a delay of twenty-four hours would have been wanting to have treated as such, by commencing an im-

mediate war of retaliation, his Majesty's ministers had prudently and temperately advised all the means to be previously employed of obtaining reasonable satisfaction, before recourse should be had to extremities. Means had been taken to inform their agents, even though not accredited, of the grounds of jealousy and complaint on the part of this country, and an opportunity had been afforded through them of bringing forward any circumstances of explanation, or offering any terms of satisfaction. Whether the facts and explanations which these agents had brought forward were such as contained any proper satisfaction for the past, or could afford any reasonable assurance with respect to the future, every member might judge from the inspection of the papers. He had already given it as his opinion, that if there was no other alternative than either to make war or depart from our principles, rather than recede from our principles a war was preferable to a peace; because a peace, purchased upon such terms, must be uncertain, precarious, and liable to be continually interrupted by the repetition of fresh injuries and insults. War was preferable to such a peace, because it was a shorter and a surer way to that end which the house had undoubtedly in view as its ultimate object—a secure and lasting peace. What sort of peace must that be in which there was no security? Peace he regarded as desirable only so far as it was secure. If, said Mr. Pitt, you entertain a sense of the many blessings which you enjoy, if you value the continuance and safety of that commerce which is a source of so much opulence, if you wish to preserve and render permanent that high state of prosperity by which this country has for some years past been so eminently distinguished, you hazard all these advantages more, and are more likely to forfeit them, by submitting to a precarious and disgraceful peace, than by a timely and vigorous interposition of your arms.—By tameness and delay you suffer that evil which might now be checked, to gain ground, and which, when it becomes indispensable to oppose, may perhaps be found irresistible.

It had on former debates been alleged, that by going to war

we expose our commerce. Is there, he would ask, any man so blind and irrational, who does not know that the inevitable consequence of every war must be much interruption and injury to commerce? But, because our commerce was exposed to suffer, was that a reason why we should never go to war? Was there no combination of circumstances, was there no situation in the affairs of Europe, such as to render it expedient to hazard, for a time, a part of our commercial interests? Was there no evil greater, and which a war might be necessary to avoid, than the partial inconvenience to which our commerce was subjected, during the continuance of hostile operations? But he begged pardon of the house for the digression into which he had been led—while he talked as if they were debating about the expediency of a war, war was actually declared: we were at this moment engaged in a war.

He now came to state what had occurred since his Majesty's last message; and to notice those grounds which had served as a pretext for the declaration of war. When his Majesty had dismissed M. Chauvelin, what were then the hopes of peace? He was by no means sanguine in such hopes, and he had stated to the house that he then saw but little probability that a war could be avoided. Such then was his sentiment, because the explanations and conduct of the French agent were such as afforded him but little room to expect any terms which this country could, either consistently with honour or a regard to its safety, accept. Still, however, the last moment had been kept open to receive any satisfactory explanation which might be offered. But what, it might be asked, was to be the mode of receiving such explanation? When his Majesty had dismissed M. Chauvelin, as, by the melancholy catastrophe of the French monarch, the only character in which he had ever been acknowledged at the British court had entirely ceased, eight days had been allowed him for his departure, and if, during that period, he had sent any more satisfactory explanation, still it would have been received. Had any disposition been testified to comply with the requisitions of Lord Grenville, still an op-

portunity was afforded of intimating this disposition. Thus had our government pursued to the last a conciliatory system, and left every opening for accommodation, had the French been disposed to embrace it. M. Chauvelin, however, instantly quitted the country, without making any proposition. Another agent had succeeded, (M. Maret,) who, on his arrival in this country, had notified himself as the chargé-d'affaires on the part of the French republic, but had never, during his residence in the kingdom, afforded the smallest communication.

What was the next event which had succeeded? An embargo was laid on all the vessels and persons of his Majesty's subjects who were then in France. This embargo was to be considered as not only a symptom, but as an act of hostility. It certainly had taken place without any notice being given, contrary to treaty, and against all the laws of nations. Here, perhaps, it might be said, that on account of their stopping certain ships loaded with corn for France, the government of Great Britain might be under the same charge; to this point he should come presently. He believed if government were chargeable with any thing, it might rather be, that they were even too slow in asserting the honour and vindicating the rights of this country. If he thought that his Majesty's ministers wanted any justification, it would be for their forbearance, and not for their promptitude, since to the last moment they had testified a disposition to receive terms of accommodation, and left open the means of explanation. Notwithstanding this violent and outrageous act, such was the disposition to peace in his Majesty's ministers, that the channels of communication, even after this period, were not shut: a most singular circumstance happened, which was the arrival of intelligence from his Majesty's minister at the Hague on the very day when the embargo became known here, that he had received an intimation from General Dumourier, that the general wished an interview, in order to see if it were yet possible to adjust the differences between the two countries, and to promote a general pacification. Instead of treating the embargo as an act of hostility, and forbearing from any communication, even after this

aggression, his Majesty's ministers, on the same day on which the embargo was made known to them, gave instructions to the ambassador at the Hague, to enter into a communication with General Dumourier; and they did this with great satisfaction, on several accounts: first, because it might be done without committing the king's dignity; for the general of an army might, even in the very midst of war, without any recognition of his authority, open any negociation of peace. But this sort of communication was desirable also, because, if successful, it would be attended with the most immediate effects, as its tendency was immediately to stop the progress of war, in the most practical, and perhaps, in the only practical way. No time was therefore lost in authorising the king's minister at the Hague to proceed in the pursuit of so desirable an object, if it could be done in a safe and honourable mode, but not otherwise. But before the answer of government could reach the ambassador, or any means be adopted for carrying the object proposed into execution, war was declared, on the part of the French, against this country. If then we were to debate at all, we were to debate whether or not we were to repel those principles, which not only were inimical to this, and to every other government, but which had been followed up in acts of hostility to this country. We were to debate whether or not we were to resist an aggression which had already been commenced. He would however refer the house, not to observations of reasoning, but to the grounds which had been assigned by the assembly themselves in their declaration of war. But first, he must again revert for a moment to the embargo. He then stated, that a detention of ships, if no ground of hostility had been given, was, in the first place, contrary to the law of nations. In the second place, there was an actual treaty between the two countries, providing for this very circumstance: and this treaty, (if not set aside by our breach of it, which he should come to presently,) expressly said, that, "in case of a rupture, time shall be given for the removal of persons and effects."

He should now proceed to the declaration itself. It began

with declaring, "That the King of England has not ceased, especially since the revolution of the 10th of August, 1792, to give proofs of his being evil-disposed towards the French nation, and of his attachment to the coalition of crowned heads." Notwithstanding the assertion that his Majesty had not ceased to shew his evil dispositions towards the French nation, they had not attempted to shew any acts of hostility previous to the 10th of August; nor in support of the charge of his attachment to the coalition of crowned heads, had they been able to allege any fact, except his supposed accession to the treaty between the Emperor of Germany and the King of Prussia. This treaty had already, this evening, been the subject of conversation: it had then been mentioned, which he should now repeat, that the fact, thus alleged, was false, and entirely destitute of foundation; and that no accession to any such treaty had ever taken place on the part of his Majesty. And not only had he entered into no such treaty, but no step had been taken, and no engagement formed on the part of our government, to interfere in the internal affairs of France, or attempt to dictate to them any form of constitution. He declared that the whole of the interference of Great Britain had been (in consequence of French aggressions) with the general view of seeing whether it was possible, either by our own exertions, or in concert with any other powers, to repress this French system of aggrandizement and aggression, with the view of seeing whether we could not re-establish the blessings of peace, whether we could not, either separately, or jointly with other powers, provide for the security of our own country, and the general security of Europe.

The next charge brought by the national assembly was, "That at the period aforesaid he ordered his ambassador at Paris to withdraw, because he would not acknowledge the provisional executive council, created by the legislative assembly." It was hardly necessary for him to discuss a subject with which all were already so well acquainted. After the horrors of the 10th of August, which were paralleled but not eclipsed by those of the 2d of September, and the suspension of the French

monarch, to whom alone the ambassador had been sent, it certainly became proper to recall him. He could not remain to treat with any government to whom he was not accredited; and the propriety of his being recalled would appear still more evident, when it was considered that it was probable that the banditti who had seized upon the government would not long retain their power; and, in fact, in the course of a month, they had been obliged to yield to the interest of a different party, but of a description similar to their own. It was also to be remarked, that this circumstance of recalling the ambassador had never till now been complained of as an act of hostility. When a government was overturned, it became a fair question how long an interval should intervene till that government should be acknowledged? and especially if that change of government was accompanied with all the circumstances of tumult and distraction, it certainly became a matter of extreme hardship that a war should be the consequence to the nation which should refuse to acknowledge it in the first instance. The force of this reasoning became increased in the particular application, when it was considered, that France had not yet established any constitution of its own; that all, hitherto, was merely provisional and temporary; and that, however the present republican system might be confirmed by force, or change of opinion, a little before, the voice of the nation, as far as its wish could be collected, had expressed itself in favour of a monarchy.

They proceeded to state, as farther grounds of their declaration of war, "That the cabinet of St. James's has ceased, since the same period (the 10th of August), to correspond with the French ambassador at London, on pretext of the suspension of the heretofore king of the French. That, since the opening of the national convention, it has refused to resume the usual correspondence between the two states, and to acknowledge the powers of this convention. That it has refused to acknowledge the ambassador of the French republic, although provided with letters of credit in its name." M. Chauvelin had been received at this

court as ambassador of the king, and in no other capacity or character. From the period of the suspension of the king, he, for some months, ceased to hold any communication with the government here, or to act in any capacity; nor was it till the month of December that he had received his letter of credence to act here as the ambassador of the French republic. With respect to the charge of not having acknowledged the convention, he confessed it to be true. When these letters of credence had been tendered, they were refused; but it was to be considered whether it would have been proper to have recognized them, after the repeated instances of offence, for which no compensation had been made, and of which, indeed, every fresh act presented not only a repetition, but an aggravation. Indeed, it would have been impossible at that period, without shewing a deviation from principle, and a tameness of disposition, to have recognised their authority, or accepted of the person who presented himself in the character of their ambassador. At that very moment, it was to be recollected, they were embarked in the unjust and inhuman process which had terminated in the murder of their king—an event which had every where excited sentiments of the utmost horror and indignation! Would it have been becoming in our government first to have acknowledged them at such a moment, when the power they had assumed was thus cruelly and unjustly exercised against that very authority which they usurped? But, whatever might be the feelings of abhorrence and indignation, which their conduct on this occasion could not fail to excite, he should by no means hold out these feelings as a ground for hostility, nor should he ever wish to propose a war of vengeance. The catastrophe of the French monarch, they ought all to feel deeply; and consistently with that impression, be led more firmly to resist those principles from which an event of so black and atrocious a nature had proceeded; principles which, if not opposed, might be expected in their progress to lead to the commission of similar crimes; but, notwithstanding government had been obliged to decline all

communication which tended to acknowledge the authority of the convention, still, as he had said before, they had left open the means of accommodation; nor could that line of conduct which they had pursued, be stated as affording any ground of hostility.

He should now consider, collectively, some of the subsequent grounds which they had stated in their declaration, which were expressed in the following articles:

"That the court of St. James's has attempted to impede the different purchases of corn, arms, and other commodities ordered in England, either by French citizens or the agents of the republic.

"That it has caused to be stopped, several boats and ships loaded with grain for France, contrary to the treaty of 1786, while exportation to other foreign countries was free.

"That in order still more effectually to obstruct the commercial operations of the republic in England, it obtained an act of parliament prohibiting the circulation of assignats.

"That in violation of the fourth article of the treaty of 1786, it obtained another act, in the month of January last, which subjects all French citizens, residing in, or coming into England, to forms the most inquisitorial, vexatious, and dangerous.

"That at the same time, and contrary to the first article of the peace of 1783, it granted protection and pecuniary aid not only to the emigrants, but even to the chiefs of the rebels, who have already fought against France; that it has maintained with them a daily correspondence, evidently directed against the French revolution: that it has also received the chiefs of the rebels of the French West-India colonies."

All these had been stated as provocations; but what sort of provocations? What, he would ask, was a provocation?—That we had indeed, taken measures, which, if considered by themselves, and not as connected with the situation of affairs in which they were adopted, might perhaps be considered in the light of provocations, he would allow; but if these measures were justified by the necessity of circumstances—if they were called for by a regard to our own safety and interests—they could only be

viewed as temperate and moderate precautions. And in this light, these grounds, assigned in the declaration, could only be regarded as frivolous and unfounded pretences. With respect to the charge of having stopped supplies of grain and other commodities, intended for France, what could be more ridiculous than such a pretext? When there was reason to apprehend that France intended an attack upon the allies of this country, and against the country itself, upon which, at the same time, it depended for the stores and ammunitions necessary for carrying on hostilities, was it natural to suppose that they should furnish, from their own bosom, supplies to be turned against themselves and their allies? Could they be such children in understanding, could they be such traitors in principle, as to furnish to their enemies the means of hostility and the instruments of offence? What was the situation of France with respect to this country? Had they not given sufficient cause for jealousy of their hostile intentions? By their decree of the 19th of November, they had declared war against all governments. They had possessed themselves of Flanders, and were there endeavouring to establish, by force, what they styled a system of freedom, while they actually menaced Holland with an invasion. Another ground which they had stated in their declaration as an act of hostility on the part of our government was, that they had not suffered assignats to be circulated in this country. Truly, they had reason to be offended that we would not receive what was worth nothing; and that, by exercising an act which came completely within our own sovereignty with respect to the circulation of any foreign paper currency, we thus avoided a gigantic system of swindling! If such, indeed, were the pretences which they brought forward as grounds for a declaration of war, it was a matter of wonder that, instead of a sheet of paper, they did not occupy a volume, and proved that their ingenuity had been exhausted before their modesty had been at all affected. Of much the same nature was that other pretext, with respect to the passing of the alien bill; a bill absolutely necessary for the safety of the country, as it shielded us from the artifice of the seditious, perhaps the dagger

of the assassin. This bill they had held out as an infringement of the treaty of commerce. It could be no infringement of their treaty, as in the treaty itself it was expressly declared, that nothing was to be considered as an infringement, unless, first, proper explanations had taken place. Secondly, it was not to be expected that any treaty could supersede the propriety of adopting new measures in a new situation of affairs. Such was the case, when an inundation of foreigners had poured into this country under circumstances entirely different from those which were provided for by the bill. But who were those who complained of the severity of the regulations adopted by the alien bill in this country? The very persons who, during the late transactions in their own country, had adopted restrictions of police ten times more severe, but of which our government, however much its subjects might be affected, had never made the smallest complaint.

The next ground, assigned in the declaration, was the armament which had taken place in this country.

"That in the same spirit, without any provocation, and when all the maritime powers are at peace with England, the cabinet of St. James's has ordered a considerable naval armament, and an augmentation of the land forces.

"That this armament was ordered at a moment when the English minister was bitterly persecuting those who supported the principles of the French revolution in England, and was employing all possible means, both in parliament and out of it, to cover the French republic with ignominy, and to draw upon it the execration of the English nation, and of all Europe."

And, under what circumstances had the armament complained of taken place? At the period when the French, by their conduct with regard to the treaty of the Scheldt, shewed their intention to disregard the obligation of all treaties, when they had begun to propagate principles of universal war, and to discover views of unbounded conquest. Was it to be wondered that, at such a time, we should think it necessary to take measures of precaution, and to oppose, with determination, the progress of

principles, not only of so mischievous a tendency, but which, in their immediate consequences, threatened to be so fatal to ourselves and our allies? Indeed they now seemed rather to despair of these principles being so generally adopted, and attended with such striking and immediate success as they had at first fondly imagined. How little progress these principles had made in this country they might be sufficiently convinced by that spirit, which had displayed itself, of attachment to the constitution, and those expressions of a firm determination to support it, which had appeared from every quarter. If, indeed, they mean to attack us, because we do not like French principles, then would this indeed be that sort of war which had so often been alleged and deprecated on the other side of the house—a war against opinions. If they mean to attack us because we love our constitution, then indeed it would be a war of extirpation; for not till the spirit of Englishmen was exterminated, would their attachment to the constitution be destroyed, and their generous efforts be slackened in its defence.

The next articles of complaint on the part of the French were,

"That the object of this armament, intended against France, was not even disguised in the English parliament.

"That although the provincial executive council of France has employed every measure for preserving peace and fraternity with the English nation, and has replied to calumnies and violation of treaties only by remonstrances, founded on the principles of justice, and expressed with the dignity of free men; the English minister has persevered in his system of malevolence and hostility, continued the armaments, and sent a squadron to the Scheldt to disturb the operations of the French in Belgium.

"That, on the news of the execution of Louis, he carried his outrages to the French republic to such a length, as to order the ambassador of France to quit the British territory within eight days.

"That the King of England has manifested his attachment to the cause of that traitor, and his design of supporting it by dif

ferent hostile resolutions adopted in his council, both by nominating generals of his land army, and by applying to parliament for a considerable addition of land and sea forces, and putting ships of war in commission."

They clearly shewed their enmity to that constitution, by taking every opportunity to separate the King of England from the nation, and by addressing the people as distinct from the government. Upon the point of their fraternity he did not wish to say much: he had no desire for their affection. To the people they offered fraternity, while they would rob them of that constitution by which they are protected, and deprive them of the numerous blessings which they enjoy under its influence. In this case, their fraternal embraces resembled those of certain animals who embrace only to destroy.

Another ground which they had assigned was the grief which had been expressed in the British court at the fate of their unhappy monarch. Of all the reasons he ever heard for making war against another country, that of the French upon this occasion was the most extraordinary: they said they would make war on us, first, because we loved our own constitution; secondly, because we detested their proceedings; and lastly, because we presumed to grieve at the death of their murdered king. Thus would they even destroy those principles of justice, and those sentiments of compassion, which led us to reprobate their crimes, and to be afflicted at their cruelties. Thus would they deprive us of that last resource of humanity—to mourn over the misfortunes and sufferings of the victims of their injustice. If such was the case, it might be asked, in the emphatic words of the Roman writer, *Quis gemitus Populo Romano liber erit?* They would not only endeavour to destroy our political existence, and to deprive us of the privileges which we enjoyed under our excellent constitution, but they would eradicate our feelings as men; they would make crimes of those sympathies which were excited by the distresses of our common nature; they would repress our sighs and restrain our tears. Thus, except the specific fact, which was alleged as a ground

of their declaration of war, namely, the accession of his Majesty to the treaty between Austria and Prussia, which had turned out to be entirely false and unfounded, or the augmentation of our armament, a measure of precaution indispensably requisite for the safety of the country, and the protection of its allies, all the others were merely unjust, unfounded, absurd, and frivolous pretexts—pretexts which never could have been brought to justify a measure of which they were not previously strongly desirous, and which shewed that, instead of waiting for provocation, they only sought a pretence of aggression. The death of Louis, though it only affected the individual, was aimed against all sovereignty, and shewed their determination to carry into execution that intention, which they had so often professed, of exterminating all monarchy. As a consequence of that monstrous system of inconsistency which they pursued, even while they professed their desire to maintain a good understanding with this country, the minister of the marine had written a letter to the sea-port towns, ordering them to fit out privateers: for what purpose but the projected view of making depredations on our commerce? While they affected to complain of our armament, they had passed a decree to fit out fifty sail of the line—an armament which, however, it was to be observed, existed only in the decree.

He feared that, by this long detail, he had wearied the patience of the house, and occupied more of their time than he at first intended. The pretexts, which he had been led to examine, alleged as grounds for the declaration of war, were of a nature that required no refutation. They were such as every man could see through; and in many of his remarks he doubted not he had been anticipated by that contempt with which the house would naturally regard the weak reasoning, but wicked policy, of these pretexts.

He now came to his conclusion.—We, said Mr. Pitt, have, in every instance, observed the strictest neutrality with respect to the French: we have pushed, to its utmost extent, the system of temperance and moderation: we have held out the means of

accommodation: we have waited to the last moment for satisfactory explanation. These means of accommodation have been slighted and abused, and all along there has appeared no disposition to give any satisfactory explanation. They have now, at last, come to an actual aggression, by seizing our vessels in our very ports, without any provocation given on our part; without any preparations having been adopted but those of necessary precaution, they have declared, and are now waging war. Such is the conduct which they have pursued; such is the situation in which we stand. It now remains to be seen whether, under Providence, the efforts of a free, brave, loyal, and happy people, aided by their allies, will not be successful in checking the progress of a system, the principles of which, if not opposed, threaten the most fatal consequences to the tranquillity of this country, the security of its allies, the good order of every European government, and the happiness of the whole of the human race!

Mr. Pitt then proceeded to move the following address in answer to his Majesty's message:

"That an humble address be presented to his Majesty, to return his Majesty the thanks of this house for his most gracious message, informing us, that the assembly, now exercising the powers of government in France, have, without previous notice, directed acts of hostility to be committed against the persons and property of his Majesty's subjects, in breach of the law of nations, and of the most positive stipulations of treaty; and have since, on the most groundless pretences, actually declared war against his Majesty and the United Provinces; to assure his Majesty that, under the circumstances of this wanton and unprovoked aggression, we most gratefully acknowledge his Majesty's care and vigilance in taking the necessary steps for maintaining the honour of his crown, and vindicating the rights of his people: that his Majesty may rely on the firm and effectual support of the representatives of a brave and loyal people, in the prosecution of a just and necessary war, and in endeavouring, under the blessing of Providence, to oppose an effectual barrier

to the farther progress of a system which strikes at the security and peace of all independent nations, and is pursued in open defiance of every principle of moderation, good faith, humanity, and justice.

"That, in a cause of such general concern, it must afford us great satisfaction to learn that his Majesty has every reason to hope for the cordial co-operation of those powers who are united with his Majesty by the ties of alliance, or who feel an interest in preventing the extension of anarchy and confusion, and in contributing to the security and tranquillity of Europe.

"That we are persuaded, that whatever his Majesty's faithful subjects must consider as most dear and sacred, the stability of our happy constitution, the security and honour of his Majesty's crown, and the preservation of our laws, our liberty, and our religion, are all involved in the issue of the present contest; and that our zeal and exertions shall be proportioned to the importance of the conjuncture, and to the magnitude and value of the objects for which we have to contend."

After the address had been seconded by Mr. Powys, Mr. Fox spoke at considerable length against the motion, concluding with moving an amendment to the following purport:

"We learn, with the utmost concern, that the assembly, who now exercise the powers of government in France, have directed the commission of acts of hostility against the persons and property of your Majesty's subjects, and that they have since actually declared war against your Majesty, and the United Provinces.

"We humbly beg leave to assure your Majesty, that your Majesty's faithful Commons will exert themselves with the utmost zeal in the maintenance of the honour of your Majesty's crown, the vindication of the rights of your people, and nothing shall be wanting on our part that can contribute to that firm and effectual support which your Majesty has so much reason to expect from a brave and loyal people, in repelling every hostile attempt against this country, and in such other exertions as may be necessary to induce France to consent to such terms of pacification, as may be consistent with the honour of your Majesty's crown, the security of your allies, and the interests of your people.

The amendment was negatived, and the address, as moved by Mr. Pitt, was agreed to without a division.

May 7, 1793.

On a motion by Mr. Grey, for referring to a committee various petitions that had been presented to the House, praying for a Reform in the representation of the people in Parliament,

Mr. Pitt spoke to the following effect:

I am anxious to deliver my opinion before, from the lateness of the hour, and the length to which the discussion has been carried, the attention of the house shall be exhausted. I feel more particularly desirous, on account of the share which I have had in agitating the question of a parliamentary reform, to state fully and distinctly the reasons which induce me to resist the motion which is now brought forward. The question at the present time involves the fate of all those who have hitherto been so long protected by the British constitution; nay, it involves the fundamental principles of every society and form of government. But first I shall beg leave to remind the house of the grounds upon which I opposed the notice of a parliamentary reform, when brought forward last session. The opinion, which I then entertained, is confirmed by what has since occurred, and has even received strength from the petition now on the table, and the motion before the house. I then considered the agitation of the question as capable of producing much mischief, and likely to be attended with no good. Such was the conclusion which I formed from experience. I had myself, on different occasions, proposed a reform, in situations which seemed favourable to my object, and supported by persons of the highest respectability, and had even then failed. Several gentlemen, from a dread of the consequences of innovation, and from a doubt whether the advantage to be obtained was such as would compensate for the risk incurred, opposed my views. If such arguments had formerly succeeded, how much force had they last year acquired from the dreadful lesson afforded in the example of a neighbouring kingdom! The scene of horrors which it then presented, exceeded imagination, far short, as it stopped, of what

has since occurred. I perceived forming within the bosom of the country a small, but not contemptible party, who aspired at something more than a moderate reform, whose object indeed was nothing less than to introduce here those French principles which, from their consequences, I could not regard but with horror. I saw therefore, that while none of that good of which a moderate reform might be productive was to be obtained, much danger might be incurred, and an opening afforded to wicked persons to subvert that very constitution which we were desirous to improve, only in order that we might preserve: or, though the attempt to reform might not be attended with the total subversion of the constitution, yet it might lead a state of confusion and distraction, which at least would disturb the enjoyment of those blessings of which we were in possession. I thus found the probability of good but little, while the mischief was of a size so gigantic as to exceed calculation. And upon this reasoning, even if I had rated as high as ever the advantages of a reform, and had seen a greater probability than had hitherto appeared of accomplishing such a reform, I would rather have abandoned my object than have incurred or increased the danger. I would rather forego for ever the advantages of reform, than risk for a moment the existence of the British constitution. Besides, I considered the necessity for a reform, in consequence of circumstances which had since occurred, to be considerably less than when I had brought forward my original motion. But how then was the question argued on the other side? The danger which I stated was not denied. But it was alleged that this was precisely the time to bring forward a moderate reform, as the best means to quiet violent spirits, and the surest remedy against ruinous innovation. The gentlemen who now come forward in the cause of parliamentary reform, I have no doubt, were encouraged in their first exertions by the hope that they should be enabled to overawe the violent spirits, and that moderate men, who might otherwise have been misled, would be induced to join their standard. I have learned from their publications, that they not only proposed to guide the minds of the people, but also

to be guided by them, and that they were resolved to drop their views, if they should find that they did not meet with a pretty general concurrence. Such was the situation of the business at the last session. I will now enquire what has passed since. And here I shall enter, along with the noble lord*, into the protest against not being allowed to introduce the subject of the affairs of France, which I consider as intimately, essentially, and inseparably connected with the present question.

Another year has now passed in that country, disgraced with excesses and outrages so horrid, that they efface the memory of those which formerly occurred, and leave of them only the faint traces, and the image hardly visible. The conduct of the French, in all its circumstances, bore a peculiar application to this country: it presented the fruits opening, in due season, the legitimate offspring of those trees, under the specious pretext of liberty, planted against this country and its allies. The French had disclosed a system of disseminating their principles, and procuring proselytes in every part of Europe—a system which they had particularly followed up with respect to this country. Such was the case without—what was the situation, of affairs within? Societies had been formed in this country, affiliated with the jacobin clubs in France; and though they had since assumed a different shape, were then employed for the purpose of spreading jacobin principles. In this object they proceeded with a degree of boldness and confidence, proportioned to the success of the French arms. We thus beheld the scheme which we had anticipated as the result of the new constitutions in France, opening upon us. We had more immediately an opportunity of seeing what were the views of the legislators in France with respect to this country, and what their instruments in England were endeavouring to effect. For while in France they always mentioned the pretext of a parliamentary reform, as the medium by which they were to introduce their principles, their instruments here always took care to connect the system of parliamentary reform with all those delusive doc-

* Lord Mornington.

trines, upon which was founded the newly-raised fabric of French freedom—Nothing less than a national convention was held out as a sufficient remedy for the abuses which prevailed in the representation, and the sole organ through which a more perfect form of government was to be obtained; namely, such a government as should acknowledge no other source of authority and no other rule of conduct, than the will of the majority. In short, French principles were inculcated as the true standard of political belief, and the example of the French government proposed as a worthy object of imitation.

I now proceed to events of a more recent date. The spirit of disaffection which had been thus raised was happily kept under, and prevented from breaking out into action by the seasonable interference of the legislature, by the vigilance and exertions of the executive power, by the loyalty, vigour, and unanimity of the people, and likewise by the interposition of Providence, in the turn lately given to affairs on the continent, and the check experienced by the French arms. The admirers and supporters of French policy in this country felt a depression of spirits from the defeat of their friends and allies, which for a time gave a fatal blow to their hopes, and compelled them to conceal their views, and to assume a veil of caution but ill suited to the ardour of their temper, and the boldness of their enterprize. But though they had thus been forced for a while to relinquish their schemes, it was not to be presumed from this that they had by any means abandoned them—No; they still indulged the same hopes, they still meditated the same plans, and only lay by to watch for an opportunity favourable to the accomplishment of their designs. For that purpose, they had looked peculiarly to the question of parliamentary reform. Previous to the bringing forward of the present motion, a great number of petitions had been presented to the house, equally singular in their form, expression, and the manner in which they had thus been submitted to notice. They had been introduced under the auspices of the gentlemen who supported the motion. They were all of three descriptions, except that one upon which the motion was

more particularly founded, and a petition from Nottingham, conceived in exactly the same terms with one which had been received from that place in 1782. When it had first been received, it came after a long war, which had harassed and exhausted the country, and the calamities of which it stated as a proper ground for a reform of parliament: unfortunately, it still employed the same language, and gave the same description of the country, after a long and prosperous peace. All these petitions came either from England or from Scotland, or from places in England and Scotland, that seemed to have no natural connection or likelihood of communication. Yet coming from these different places, they were all the same in substance and nearly the same in style: whatever little difference there might be in the expression, they seemed all to proceed from the same hands—

Facies non omnibus una,
Nec diversa tamen: qualem decet esse sororum.

They all, it must be confessed, betrayed a strong family likeness. Almost the only difference was, that those from Scotland expressed their surprize at the immense load of debt, notwithstanding the extent of the taxes, which they stated at twenty millions,—four millons above the truth. All of them were the same in prayer; they concurred in praying for the right of universal suffrage, as the basis of that reform which they desired.

With respect to these petitions, two questions arise; first, what weight they ought to have with the house, and how far they ought to be allowed to go in influencing their judgment; and secondly, whether this is a season proper for the consideration of that object which they claim, and favourable to a temperate reform? On the first point, when petitions came to the house, fabricated in appearance, similar in substance and expression, it did not require much time to determine in what point of view they were to be considered. There was every reason to suspect that they were the work of a few individuals.

They had certainly much more the appearance of the design of a few individuals, than of the general expression of the sentiments of the country. If it were asked, then, what weight they ought to have? the answer is easy. None. What weight ought to belong to petitions coming to this house in those circumstances, carrying every appearance of concert and system, combined in the same prayer, and expressed nearly in the same language? The fraud is too gross and palpable, and it is evident from what quarter they come, and with what views they are presented. All the circumstances in France and this country point out the present as a season unfavourable to a temperate reform. The gentlemen who support the motion have been engaged in a society for the purpose, as they themselves state, of allaying the violence of those who might be misled by a blind rage of innovation, and enlightening the people with respect to the nature of their true claims. Such had been the objects which they had held out at their commencement; they had proposed to make a fair experiment, to allow the people of England a full opportunity of procuring a rational and moderate reform; and if they should find that they could not succeed, and that the people should be disinclined to any plan of reform, and not disposed to prosecute the measures which they should recommend, they were then to abandon their purpose. They had now gone on for upwards of a twelvemonth, publishing to enlighten the people, and using every means to promote their own influence, and during all that time they had not been able to make a convert of one man in England.—They had been obliged at last to come forward with a petition of their own, introduced to the house on the very day that the debate was to take place. The other petitions which united in the same object of demanding parliamentary reform carried a suspicious and dangerous appearance. Ought they not then, consistently with those principles which they had avowed in the outset, to have come forward upon this occasion, to have acknowledged their mistake, and their conviction that the people of England were not desirous of a reform, to have

given up their object in which they found they could not succeed, and to have joined with us in opposing a reform which is not even desired, and which could not be granted with any propriety in the present moment, or even with the chance of advantage to those for whom it is demanded?

But what are the grounds upon which they now bring forward this question of reform? First, they state, that from the general burst of loyalty expressed by the nation upon the first alarm, there is no reason to fear that the people will pass beyond the bounds of discretion, and that no season can be more favourable for a temperate reform than that in which they have so strongly testified their attachment to the established order of things, and their reluctance to any change. Of this temper they recommend to us to take the advantage. But how stands the case? The fact, I grant, is indeed true. But it is also true, that societies in this country have been anxiously seeking not to obtain reform, but to find cause of dissatisfaction; not to allay the violence of innovation, but to inflame discontent. Is it then out of difference to that small party, actuated by such principles, and pursuing such a line of conduct, that we are to grant a reform; and not out of respect to the great body of the people of England, animated by a spirit of the purest loyalty, and too much attached to the blessings of the constitution and the present government to wish to hazard them by a change? What then is the question at issue? It is the same question which is now at issue with the whole of Europe, who are contending for the cause of order, of justice, of humanity, of religion, in opposition to anarchy, to injustice, to cruelty, to infidelity. I am sensible that ninety-nine out of a hundred of the people of England are warm in those sentiments, are sensible of the security which they enjoy for these blessings from the frame of our excellent constitution; and, so far from wishing to touch it with an innovating hand, are prepared to defend it against every attack. Are we to yield then to the clamours of dissatisfaction and discontent; and are we to disregard the voice of satisfaction and gratitude? Are we, in order to gratify

the caprice, or sooth the insolence, of a few disaffected, to neglect the benefit of the common body? Are we, at a moment of emergency like this, when the great cause of all is at stake, to suspend our cares for the public welfare, and attend to the discussion of petty claims and the redress of imaginary grievances? Are we, at such a moment, in order to please a few individuals, to hazard the consequence of producing alarm and distrust in the general body, firm and united in the common cause? This would indeed resemble the conduct of those who, at the moment that their citadel was besieged, should proceed to the discussion of points of difference, rather than attend to providing the means of defence.

The next ground alleged for bringing forward the motion for reform at present was, that this was a time of war, and that, from the situation of commercial credit, the country was in a state of alarm and distrust. These certainly were very strange reasons for such a measure. If we are engaged in a war for the purpose of defending ourselves against a foreign enemy is this a reason why we should hazard the consequences of any distraction at home? This, instead of diminishing, would be the most effectual method to add to the evil. Of the state of credit I shall say nothing, though the reasoning, as applied to it, stands in the same predicament; certain it is, that considerable embarrassment has lately taken place, a circumstance at all times very apt to result from an extensive commerce. The legislature, much to their honour, have stepped forward, and made an exertion for the aid of the merchants, which, as it is extraordinary, I hope it will be successful: but can this embarrassment be ascribed to the constitution, except by making the constitution the cause of that extent to which commerce has been carried? Can this period and this state of affairs, however, be brought forward as grounds for reform by gentlemen who last year stated on the same occasion the duration of a long peace, and the high state of public prosperity, as their motives for calling the attention of the house to that subject? These are certainly novelties which require to be reconciled before

the gentlemen can make any pretensions to consistency of reasoning.

I shall next proceed to remark on the precise nature of the motion itself. The motion is, to refer to a committee one of those petitions for a reform which have been presented to the house. Whether the honourable gentleman who made the motion means likewise to refer them all, is a point of which I am not ascertained. [Mr. Grey here nodded assent.] If he means to refer them all, my reasoning on the subject is reduced to a very short compass. Ought we to refer to a committee to deliberate on this measure of unlimited suffrage? The circumstance of having moved to refer the prayers of the petitions, without having pointed out any specific plan for obtaining their object, clearly renders it improper to go into any discussion on the subject. This circumstance has a tendency to excite discontent, without affording the means of allaying it. Though I formerly moved for a general inquiry, I was afterwards convinced, that it would be attended with no good effect, and I abandoned the motion. I became sensible that there was no chance of obtaining any advantage, but by bringing forward a specific proposition. If I thought so then, how much more must I now be confirmed in the same opinion? If any object is proposed for discussion, it ought to be a specific object. The contrary mode can tend only to perplex the discussion, and to render it productive of mischief.

I shall now shortly observe on the manner of introducing this business. The honourable gentleman stated fairly and candidly, that he brought forward the present question, not on the ground of right, but of expediency. I think so too. To talk of an abstracted right of equal representation, is absurd. It is to arrogate that right to one form of government, whereas Providence has accommodated the different forms of government to the different states of society in which they subsist. There are as many different rights as the causes which occur to diversify the modes of government. There is one right for a Roman, another for an Athenian, and a third for a Lacedemonian; but

though the honourable gentleman disclaimed the ground of general and abstracted right, he has so far enlarged his ground of expedience as to embrace the mode of reasoning, by which that wild theory is supported. He has declared himself ready to take even universal suffrage,—that mode which he approves the least, rather than to suffer the constitution to remain as it is I so far differ with him, that I would rather abandon what I conceive to be the best plan of reform, than risk the consequences of any hazard to the constitution, as it at present subsists. Can I then embark in the same committee with the honourable gentleman, while he rejects the only plan on which I have contended for reform, and is ready to give into that which he himself deems the worst? I must confess myself alarmed at the extent to which he carries his object; and I cannot help looking at the society with some degree of suspicion, in consequence of a letter which I find signed with his own name. This letter is addressed to the people of Sheffield. These people have so well benefited by those lessons of caution and moderation which they received from their patrons, the friends of the people, that they lately addressed to the house a petition for parliamentary reform, conceived in such terms as rendered it improper to be received. They early communicated to the friends of the people their plan for a parliamentary reform, by assembling a convention of national delegates. The answer to this is nearly expressed in the following words:—"On the plan which you have suggested we do not think it yet a fit time to deliberate. In a more advanced stage it may become a proper subject of discussion." The honourable gentleman, in his ideas of reform, proceeds upon grounds directly opposite to mine, not indeed less hostile to my views than they are to the present form of the constitution. Upon the whole, from the method which he proposes, I see no probability of a temperate reform, and, if granted, it would not even answer the end for which it is demanded. So far from satisfying those who now solicit it, it would only extend their views, and multiply and encourage their claims; they want not a parliamentary reform for itself,

but for something else, in which they have a prospect. They consider it not as the end of their wishes, but only as means which may lead to their accomplishment.

But here we are told, that by refusing this reform, we are acting upon the same principle by which we lost America, by not complying with the demands of that country. The Americans desired specific relief; they pointed out a definite object with which they pledged themselves to be satisfied. It was refused to them, because it was said, that it would only encourage them to ask for more. I do not now mean to enter on the propriety of this refusal, or a discussion of the means by which America was lost; but I cannot help remarking that there is a wide difference between the two cases. Here no specific relief is demanded, no definite object is pointed out. You are desired to give, what nobody asks; and to those who tell you, that even if you give it them, they will not be satisfied. It has been asked, who were the *they* so often alluded to in the course of the debate. The answer was short. They were those who have signed the petitions. They claim that which can be resolved into nothing but a deduction of French principles: that which is termed the will of the majority, the will of the multitude. The motion requires you to be prepared to deliberate whether it is right or not, to give individual suffrage. On this question, I am not prepared to deliberate; first, because it wants no deliberation, and secondly, because I have deliberated upon it long enough already. I have not been so inattentive to what has now passed in a neighbouring kingdom, nor have I been so unaffected by the transactions which have there occurred, as not frequently to have taken this subject into consideration.

I shall now give my reasons, why I am not prepared to deliberate on the question: and first, because my plan went to give vigour and stability to the ancient principles of the constitution, and not to introduce into it any new principles. The merit of the British constitution is to be estimated, not by metaphysical ideas, not by vague theories, but by analysing it in practice. Its benefits are confirmed by the sure and infallible

test of experience. It is on this ground, that the representation of the people, which must always be deemed a most valuable part of the constitution, rests on its present footing. In the history of this country, from the earliest period down to that in which I now speak, the number of electors have always been few in proportion to that of the great body of the people. My plan went to regulate the distribution of the right of electing members, to add some, and to transfer others: when such was my plan, am I to be told, that I have been an advocate for parliamentary reform, as if I had espoused the same side of the question which is now taken up by these honourable gentlemen, and were now resisting that cause which I had formerly supported? I affirm, that my plan is as contrary to that of the honourable gentleman, as his is to the constitution: nay, I go farther; I agree with the honourable gentleman* that to adopt the system now proposed, is to adopt the principles of the French code, and follow the example of their legislators. As these principles are unknown in the history of this country, it is to France only that we can look for their origin. The same principle which claims individual suffrage, and affirms that every man has an equal right to a share in the representation, is that which serves as the basis of that declaration of rights on which the French legislators have founded their government. We ought to recollect that there are 250 persons who possess an equal voice in the legislature with that of this house; that there is a king, who, to the third of the legislative, adds the whole of the executive power; and if this principle of individual suffrage be granted, and be carried to its utmost extent, it goes to subvert the peerage, to depose the king, and, in fine, to extinguish every hereditary distinction, and every privileged order, and to establish that system of equalizing anarchy announced in the code of French legislation, and attested in the blood of the massacres at Paris.

The question then is, whether you will abide by your con-

* Mr. Windham.

stitution, or hazard a change, with all that dreadful train of consequences with which we have seen it attended in a neighbouring kingdom? Abide by your constitution, did I say? It cannot be necessary for me to add a word more. But I would not stop there if it were possible to go further. If it were possible for an Englishman to forget his attachment to the constitution and his loyalty to the sovereign—if it were possibl for him to lose all those generous feelings which bind him to his country and secure his obedience to its laws—if it were possible for him to sacrifice all these to those principles which are brought forward to support a change of government; yet, if he should attend only to reason, he would find them wild and illusive theories. He would find the principle of individual will powerful and efficient to the destruction of every individual, and of every community; but to every good purpose null and void. He would find that those rights which entitle all to an equal share in the government, are rights which only serve to remove them from useful labour, from sober industry, and from domestic connections, and which abandon them to be the slaves of every idle caprice, and of every destructive passion. The government that adopts such principles, ceases to be a government; it unties the bands which knit together society; it forfeits the reverence and obedience of its subjects; it gives up those, whom it ought to protect, to the daggers of the Marseillese, and the assassins of Paris. Under a pretence of centering all authority in the will of the many, it establishes the worst sort of despotism. Such is the state of that wretched country, France, the detestable policy of which has added new words to the dictionary, such as the phrases of municipalities declaring themselves in a state of *permanent* revolution, and the nation itself in a state of *sovereign* insurrection! In what is called the government of the multitude, they are not the many who govern the few, but the few who govern the many. It is a species of tyranny, which adds insult to the wretchedness of its subjects, by styling its own arbitrary decrees the voice of the people, and sanctioning its acts of oppression and cruelty under the pretence of the national will.

Such is the nature of those principles connected with the right of individual suffrage; and how far you are prepared to give countenance to that measure, by referring it to a committee as a subject of deliberation, you are now called to determine.

The motion was rejected,

Ayes..... 41
Noes..... 282

END OF THE FIRST VOLUME.

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Government of Maharashtra
on 21 October, 2015